DOCUMENT RESUME

ED 352 170 PS 020 962

TITLE	Neighborhood Schools Improvement Act. Conference Report [To Accompany S.1]. House of Representatives, 102d Congress, 2d Session.
INSTITUTION	Congress of the U.S., Washington, D.C. House.
REPORT NO	House-R-102-916
PUB DATE	25 Sep 92
NOTE	77p.
PUB TYPE	Legal/Legislative/Regulatory Materials (090)
EDRS PRICE	MF01/PC04 Plus Postage.
DESCRIPTORS	*Academic Achievement; Change Strategies; Educational Assessment; Educational Change; *Educational Improvement; Educational Legislation; Elementary Secondary Education; Federal Aid; *Federal Legislation; *Government Role; Government School Relationship; *Neighborhood Schools; Public Schools; School Restructuring; State Aid
IDENTIFIERS	Amendments; House of Representatives; *National Education Goals 1990; National Education Goals Panel; Proposed Legislation; Reform Efforts

ABSTRACT

The Committee of Conference report on a Senate bill to promote educational reform is reported in this document. The purposes of the bill, cited as the "Neighborhood Schools Improvement Act," are to: promote achievement of the National Education Goals; measures progress toward these goals; develop national education standards and voluntary assessments; and encourage the comprehensive improvement of neighborhood public schools to improve student achievement. It is reported that the Senate recedes from its disagreement with the House of Representatives about the proposed House amendments to the bill, and that the amendments are substantially accepted. This document highlights the agreed-upon revisions, restating sections that have been changed. A joint explanatory report from the House and Senate comments briefly on the origin of each change. Areas of amendment include: (1) inclusion of a title and a table of contents; (2) a statement of findings and the purpose of the Act in providing resources to assist in education reform; (3) amendments to Title 1 to list the six National Education Goals; (4) restructuring of the Elementary and Secondary Education Act of 1965 to insert Title B (creation of a National Education Goals Panel and National Education Standards and Assessments Council), with details of their structure, and to insert "Part B, Neighborhood Schools Improvement" provisions that clarify state and federal relationships; (5) amendment through Title 3 to the General Education Provisions Act, with a redefined role for the National Assessment of Educational Progress; (6) amendments to the Carl D. Perkins Vocational and Applied Technology Education Act; (7) amendment to the Dwight D. Eisenhower Mathematics and Science Education Act; and (8) miscellaneous amended provisions. (SLD)

102D CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
102-916

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NEIGHBORHOOD SCHOOLS IMPROVEMENT ACT

SEPTEMBER 25, 1992.—Ordered to be printed

Mr. KILDEE, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany S. 2]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2), to promote the achievement of national education goals, to measure progress toward such goals, to develop national education standards and voluntary assessments in accordance with such standards and to encourage the comprehensive improvement of America's neighborhood public schools to improve student achievement, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Neighborhood Schools Improvement Act".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Findings and purposes.

TITLE I—NATIONAL EDUCATION GOALS

Sec. 101. Purpose.
Sec. 102. School readiness.
Sec. 103. School completion.
Sec. 104. Student achievement.
Sec. 105. Mathematics and science.
Sec. 106. Family literacy and lifelong learning.
Sec. 107. Safe, disciplined, and drug-free schools.

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TITLE II—COMPREHENSIVE RESTRUCTURING

Sec. 201. Comprehensive restructuring.

TITLE III—AMENDMENTS TO THE GENERAL EDUCATION PROVISIONS ACT

Sec. 301. National assessment of educational progress.
Sec. 302. Responsibility of States to furnish information concerning uses of Federal funds.

TITLE IV—AMENDMENTS TO THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT

Sec. 401. Assessment of educational program activities.
Sec. 402. National Occupational Information Coordinating Committee.

TITLE V—AMENDMENT TO THE DWIGHT D. EISENHOWER MATHEMATICS AND SCIENCE EDUCATION ACT

Sec. 501. Eisenhower national programs.

TITLE VI—MISCELLANEOUS PROVISIONS

Sec. 601. Values in school study.
Sec. 602. Parents as teachers review.
Sec. 603. Buy American.
Sec. 604. Assessment study.
Sec. 605. Report and authorization extensions.
Sec. 606. Definitions.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) to achieve the National Education Goals each State must develop and implement widely shared, comprehensive strategies to support the revitalization of all public elementary and secondary schools;

(2) educational improvement will require statewide reform strategies and an unshakable long-term commitment by State policymakers;

(3) educational improvement will require adequate commitment and investment from the Federal Government;

(4) educational reform will require that teachers and school leaders play the central role in designing and implementing changes at the school level and they must have access to high-quality training and professional development to maximize that role and increase their effectiveness;

(5) ultimately, meaningful educational reform will not be achieved without coordinated changes at the local educational agency and school level;

(6) innovative and successful reform initiatives which are underway in schools throughout the Nation are not being replicated in sufficient number by schools where identical practices would further the National Education Goals;

(7) teachers, principals, parents and members of the local community can, in collaboration with the local educational agency, design effective education reform strategies to achieve the National Education Goals and be strongly committed to such plans if these individuals have access to the resources to implement such plans;

(8) schools receiving resources under this Act to implement a reform plan should be required to show improved academic achievement and progress towards the achievement of the National Education Goals;

(9) the Federal Government can best encourage efforts to achieve the National Education Goals by making resources available to States for the development of coherent and coordinated education reform plans and to assist local educational agencies and neighborhood public schools in implementing education reform efforts; and

(10) the Federal Government can also encourage reform by establishing an independent, non-partisan mechanism to measure progress toward the achievement of the National Education Goals.

(b) PURPOSE.—It is the purpose of this Act to provide resources to assist States, local educational agencies, and neighborhood public schools in the design and implementation of education reform strategies to improve student achievement and achieve the National Education Goals.

TITLE I—NATIONAL EDUCATION GOALS

SEC. 101. PURPOSE.

It is the purpose of this title to establish a plan of action for the initial steps that the Federal Government must take in order to assist teachers, school leaders, parents, State and local governments, and businesses in the joint effort of achieving the National Education Goals as outlined in this title.

SEC. 102. SCHOOL READINESS.

(a) FINDINGS.—The Congress finds that the Federal Government should expand its commitment to school readiness to ensure that all children are ready and able to begin school.

(b) POLICY.—It is the goal of the United States that, by the year 2000, all children in America will start school ready to learn. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to provide Head Start services to every eligible child who needs such services;

(2) to provide sufficient funding for the special supplemental food program for women, infants, and children so that all potentially eligible women, infants, and children have access to the services provided by the program;

(3) to assure that all women have access to affordable, high quality prenatal care and that all infants and children have access to affordable, high quality comprehensive and preventive health care, by providing sufficient funding for programs, including the Maternal and Child Health Services Block Grant, the Community and Migrant Health Center Grant Program, Medicaid, and the Childhood Immunization Grant Program;

(4) to expand funding for the Even Start and Follow Through Acts to allow programs to reach all parts of the United States and to allow each State to fund a sufficient number of programs throughout the State so that approaches are available for local educational agencies, the State educational agency, and other organizations to adopt and implement;

(5) to provide sufficient funding to assist States in providing a free appropriate public education to preschool children with disabilities and early intervention services to infants and toddlers with disabilities and their families pursuant to the Individuals with Disabilities Education Act; and

(6) to assure that every child participating in early childhood education is taught by a well-qualified teacher.

SEC. 103. SCHOOL COMPLETION.

(a) FINDINGS.—The Congress finds that in order for the Nation to improve its economic competitiveness, each individual in the United States must be educated to his or her greatest potential and must be encouraged to finish secondary school.

(b) POLICY.—It is the goal of the United States that, by the year 2000, the high school graduation rate will increase to at least 90 percent. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take consistent steps—

(1) to expand funding for secondary school dropout prevention and reentry programs and basic skills programs to allow programs to reach all parts of the United States and to allow each State to fund a sufficient number of programs throughout the State so that approaches are available for local educational agencies, the State educational agency, and other organizations to adopt and implement; and

(2) to collect uniform, reliable data from the States with respect to school completion rates.

SEC. 104. STUDENT ACHIEVEMENT.

(a) FINDINGS.—The Congress finds that American students are falling behind students in other industrialized nations on tests measuring abilities in all academic subject areas.

(b) POLICY.—It is the goal of the United States that, by the year 2000, American students will leave grades 4, 8, and 12 having demonstrated competency over challenging subject matter including English, mathematics, science, foreign languages, history, and geography, and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, productive employment, and independent living in our modern economy. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to provide appropriate educational assistance for all disadvantaged children in the United States by fully funding chapter 1 of title I of the Elementary and Secondary Education Act of 1965 in order to provide for the participation of all eligible children under such chapter;

(2) to fulfill the commitment made by the United States in 1975 to provide 40 percent of the costs of educating children with disabilities;

(3) to promote efforts that encourage all students to be involved in activities that promote and demonstrate good citizenship, community service, and personal responsibility; and

(4) to encourage highly qualified individuals to become teachers and to remain in the teaching profession.

SEC. 106. MATHEMATICS AND SCIENCE.

(a) FINDINGS.—The Congress finds that—

(1) most students in the United States are behind students from other industrialized nations on tests measuring achievement in mathematics and science;

(2) the Federal Government has a significant role in promoting the study of mathematics and science in elementary and secondary schools by providing financial assistance to local educational agencies to improve the general quality of programs for the study of mathematics and science through authorized mathematics and science education programs; and

(3) the Federal Government has indirectly assisted in the postsecondary study of mathematics and science by providing future scientists, mathematicians, and engineers with financial assistance to attend postsecondary institutions, but more incentives are needed to attract high-achieving students into these areas of study.

(b) POLICY.—It is the goal of the United States that, by the year 2000, United States students will be first in the world in mathematics and science achievement. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to expand funding for the Excellence in Mathematics, Science, and Engineering Act of 1990 to increase the number of individuals, particularly women and minorities, in graduate and undergraduate programs in mathematics, science, and engineering;

(2) to expand funding for the Dwight D. Eisenhower Mathematics and Science Education Act so that all elementary teachers and all secondary teachers of mathematics and science will have an opportunity for updating and improving their mathematics and science education skills;

(3) to award scholarships to high-achieving students to pursue the study of mathematics, science, and related subjects at postsecondary institutions; and

(4) to encourage highly qualified individuals to become and to remain mathematics and science teachers in elementary and secondary schools.

SEC. 106. FAMILY LITERACY AND LIFELONG LEARNING.

(a) FINDINGS.—The Congress finds that—

(1) nearly 30,000,000 adults in the United States are lacking literacy skills which limits their ability to read, write, or speak in English or to compute or solve problems effectively; and

(2) the Federal Government has a responsibility to assist State and local governments in providing literacy services to those individuals in need of such services so that they may be full participants in society.

(b) POLICY.—It is the goal of the United States that, by the year 2000, every American will be literate and will possess the knowledge

and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to provide increased funding for the Adult Education Act so that all eligible individuals who seek such services under such Act will receive such services; and

(2) to expand Federal assistance for literacy programs in order to assist State and local governments, public libraries, organizations and volunteers in providing all individuals lacking literacy skills the opportunity to acquire skills needed to function in society.

SEC. 107. SAFE, DISCIPLINED, AND DRUG-FREE SCHOOLS.

(a) FINDINGS.—The Congress finds that—

(1) use of illicit drugs and alcohol continues to be a major problem that threatens the safety of the children of the Nation and impedes their ability to succeed in school and in their lives; and

(2) more Federal efforts are urgently needed in the areas of drug and alcohol abuse education and prevention.

(b) POLICY.—It is the goal of the United States that, by the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning. As part of the joint effort of Federal, State, and local governments, organizations, institutions and individuals in achieving this goal, the Federal Government will take steps—

(1) to ensure that all students receive drug abuse prevention education and counseling services; and

(2) to provide increased funding for the Drug-Free Schools and Communities Act of 1986.

TITLE II—COMPREHENSIVE RESTRUCTURING

SEC. 201. COMPREHENSIVE RESTRUCTURING.

(a) AMENDMENTS.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) is amended—

(1) by redesignating sections 8001 through 8005 as 10001 through 10005; and

(2) by inserting after title VII the following:

"TITLE VIII—COMPREHENSIVE RESTRUCTURING

"PART A—NATIONAL EDUCATION GOALS PANEL AND NATIONAL EDUCATION STANDARDS AND ASSESSMENTS COUNCIL

"Subpart 1—National Education Goals Panel

"SEC. 8101. SHORT TITLE.

"This subpart may be cited as the 'National Education Standards and Assessments Act of 1992'.

"SEC. 8102. FINDINGS AND PURPOSES.

"(a) FINDINGS.—The Congress finds that—

"(1) the social well-being, economic stability, and national security of the United States depend on a strong educational system that provides all citizens with the skills necessary to become active members of a productive work force;

"(2) despite the many reforms of the educational system that have been implemented since the National Council on Excellence in Education declared our Nation 'at risk' in 1983, the United States remains at risk for educational underachievement;

"(3) the educational achievement of United States students as a group falls below students from many other countries, particularly in mathematics and the sciences;

"(4) although State and local governments bear the primary responsibility for elementary and secondary education, rapidly increasing international competitiveness requires that the United States increase efforts to make education a national priority;

"(5) the Federal Government has played a vital, leading role in funding important educational programs and research activities and should continue to play that role;

"(6) accurate and reliable mechanisms must be available to assess and monitor educational progress;

"(7) the mechanisms to assess and monitor educational progress, and the national information infrastructure needed to support the mechanisms, do not exist or must be strengthened;

"(8) there should be established an independent, bipartisan panel, building on existing efforts to measure progress toward achievement of the National Education Goals;

"(9) the Nation should also move forward to set national education standards to help students and schools;

"(10) the quality of educational assessments in the United States is in need of reform and our Nation needs to invest in additional research and development related to educational assessments, including the development of authentic assessments and model assessments;

"(11) the primary purpose of developing standards is to inform instruction and improve learning;

"(12) establishing voluntary national standards is an important, complex, and sensitive task and any coordinating structure for this purpose must be bipartisan, engage government at all levels, and involve the many constituencies that have an established interest in improving education;

"(13) much work in the area of developing standards and in improving assessments has already begun and the national effort should benefit from and not attempt to duplicate any good work being done by existing Federal and non-Federal entities;

"(14) in accordance with the recommendations of the National Education Standards and Assessments Council, a coordinating structure needs to be put into place to ensure that this work is being done;

"(15) this coordinating structure should maintain the Nation's tradition of State and local authority over education and therefore be a part of a cooperative national effort; and

"(16) there should be established a national coordinating body to ensure the establishment of national education standards.

"(b) PURPOSES.—The purposes of this subpart are—

"(1) to establish the National Education Goals Panel;

"(2) to advance the establishment of voluntary national education content standards and to raise the academic performance of students and schools throughout the Nation;

"(3) to provide funds for the development of voluntary national school delivery standards and for further research and development on assessment to measure the progress of the Nation in meeting national education goals and standards; and

"(4) to report on the progress toward achievement of the National Education Goals.

"SEC. 8103. NATIONAL EDUCATION GOALS PANEL.

"(a) ESTABLISHMENT.—There is established a National Education Goals Panel (hereafter in this subpart referred to as the 'Panel').

"(b) COMPOSITION.—

"(1) IN GENERAL.—The Panel shall be composed of 18 members (hereafter in this subpart referred to as 'members'), including—

"(A) two members appointed by the President;

"(B) eight members who are Governors, three of whom shall be from the same political party as the President and five of whom shall be of the opposite political party of the President, appointed by the Chairperson and Vice Chairperson of the National Governors' Association, with each appointing representatives of their respective political party, in consultation with each other and in accordance with paragraph (2);

"(C) four Members of Congress appointed as follows:

"(i) one member appointed by the majority leader of the Senate from among the Members of the Senate;

"(ii) one member appointed by the minority leader of the Senate from among the Members of the Senate;

"(iii) one member appointed by the Speaker of the House of Representatives from among the Members of the House of Representatives; and

"(iv) one member appointed by the minority leader of the House of Representatives from among the Members of the House of Representatives; and

"(D) four members of State legislatures appointed by the President of the National Conference of State Legislatures, of which not more than two of whom may be of the same political party as the President of the United States.

"(2) SPECIAL APPOINTMENT RULES.—(A) The members appointed pursuant to paragraph (1)(B) shall be appointed as follows:

"(i) If the Chairperson of the National Governors' Association is from the same political party as the President, then the Chairperson shall appoint 3 persons pursuant to such paragraph and the Vice Chairperson shall appoint 5 persons pursuant to such paragraph.

"(ii) If the Chairperson of the National Governors' Association is from the opposite political party as the President, then the Chairperson shall appoint 5 persons pursuant to such paragraph and the Vice Chairperson shall appoint 3 persons pursuant to such paragraph.

"(B) The members serving on such panel on the date of enactment of the Neighborhood Schools and Improvement Act shall be deemed to be in compliance with the provisions of this subsection and shall not be required to be reappointed pursuant to this subsection.

"(c) TERMS.—The terms of service of members shall be as follows:

"(1) EXECUTIVE BRANCH.—Members appointed under paragraph (1)(A) shall serve at the pleasure of the President.

"(2) GOVERNORS.—Members appointed under paragraph (1)(B) shall serve a 2-year term, except that the initial appointments under such paragraph shall be made to ensure staggered terms.

"(3) MEMBERS OF LEGISLATURES.—Members appointed under subparagraphs (C) and (D) of paragraph (1) shall serve a term of 2 years.

"(d) DATE OF APPOINTMENT.—The initial members shall be appointed not later than 60 days after the date of enactment of the Neighborhood Schools Improvement Act.

"(e) RETENTION.—In order to retain an appointment to the Panel, a member must attend at least two-thirds of the scheduled meetings of the Panel in any given year.

"(f) VACANCIES.—A vacancy on the Panel shall not affect the powers of the Panel, but shall be filled in the same manner as the original appointment.

"(g) TRAVEL.—Each member shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

"(h) CHAIRPERSON SELECTION.—The Panel shall select a chairperson from among members described in subsection (b)(1)(B).

"SEC. 8104. FUNCTIONS.

"(a) FUNCTIONS.—The Panel shall accomplish the following:

"(1) INTERACTIVE PROCESS.—Establish an interactive process for the development of voluntary national content standards and voluntary national school delivery standards which, to the greatest extent feasible, reflect the comments and recommendations of educators and other knowledgeable individuals across the Nation.

"(2) RECOMMENDATIONS.—Make recommendations to the Secretary regarding the selection of groups and organizations for the award of grants to develop voluntary national content standards, voluntary national school delivery standards, and criteria for the model assessments described in section 2012(g) of the Dwight D. Eisenhower Mathematics and Science Education Act.

"(3) CERTIFICATION.—Upon recommendation of the National Education Standards and Assessments Council established under section 8201 (hereafter in this subpart referred to as the 'Council'), certify the voluntary national content standards and the voluntary national school delivery standards established pursuant to this subpart.

"(4) EVALUATION.—Propose the indicators to be used to measure the National Education Goals and report progress in achieving such goals, the baselines and benchmarks against which progress may be evaluated, and the format for an annual report card to the Nation under section 8105.

"(5) MEASUREMENT.—Select interim and final measures and appropriate indicators in each goal area.

"(6) DATA.—Assure, through requirements for State reports, that data on student achievement is reported in the context of other relevant information about student, school, and system performance.

"(7) REPORT CARD.—Issue an annual report card that—

"(A) reports on the Federal actions taken to fulfill responsibilities to education;

"(B) identifies gaps in existing educational data;

"(C) recommends improvements in the methods and procedures for assessments; and

"(D) proposes changes in national and international measurement systems.

"(8) APPOINTMENT.—Make appointments of members to the Council.

"(b) PERFORMANCE OF FUNCTIONS.—In carrying out its responsibilities, the Panel shall operate on the principle of consensus.

"(c) DATA COLLECTION.—The Panel shall make arrangements with any appropriate entity to generate or collect such data as may be necessary to assess appropriately progress toward meeting the National Education Goals.

"SEC. 8105. ANNUAL REPORT CARD.

"(a) IN GENERAL.—The Panel shall prepare and submit to the President, the appropriate committees of Congress, and the Governor

of each State a national report card, that shall include the following:

"(1) ANALYSIS.—An analysis of the progress of the United States toward achieving the National Education Goals.

"(2) COMMENTS AND RECOMMENDATIONS.—The comments and recommendations of—

"(A) Federal and State policymakers;

"(B) experts on teaching and child development;

"(C) experts on measurement;

"(D) experts on curriculum;

"(E) experts on educational administration; and

"(F) representatives of business.

"(3) IDENTIFICATION AND IMPROVEMENT.—Based on the findings of the Panel and an analysis of the views and comments of all interested parties, the Panel may identify continuing gaps in existing educational data.

"(4) ASSESSMENT RECOMMENDATIONS.—Recommendations for improvement in the methods and procedures of assessing educational attainment.

"(b) CONTINUATION.—The Panel shall continue to issue a national report card on an annual basis for the duration of the existence of the Panel.

"(c) FORMAT.—National report cards shall be presented in a form that is understandable to parents and the general public.

"(d) LIMITATION.—National report cards may not include data using the achievement goals established under section 406(i)(6)(A)(ii) of the General Education Provisions Act unless such goals have been reviewed and approved by the Commissioner of the National Center for Education Statistics.

"SEC. 8106. POWERS OF THE PANEL.

"(a) HEARINGS.—

"(1) IN GENERAL.—The Panel shall, for the purpose of carrying out this subpart, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Panel considers appropriate.

"(2) PUBLIC HEARINGS.—In carrying out this subpart, the Panel shall conduct public hearings in different geographic areas of the United States, both urban and rural, to receive the reports, views, and analyses of a broad spectrum of experts and the public regarding the functions of the Panel described in section 8104(a).

"(b) INFORMATION.—The Panel may secure directly from any department or agency of the United States, information necessary to enable the Panel to carry out this subpart. Upon request of the Chairperson of the Panel, the head of a department or agency shall furnish such information to the Panel to the extent permitted by law.

"(c) POSTAL SERVICES.—The Panel may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

"(d) ADMINISTRATIVE AND SUPPORTIVE SERVICES.—The Secretary shall provide to the Panel, on a reimbursable basis, administrative and supportive services as the Panel may request.

"SEC. 9107. ADMINISTRATIVE PROVISIONS.

"(a) MEETINGS.—The Panel shall meet on a regular basis, as necessary, at the call of the Chairperson of the Panel or a majority of its members.

"(b) QUORUM.—A majority of the members shall constitute a quorum for the transaction of business.

"(c) VOTING.—No individual may vote or exercise any of the powers of a member by proxy.

"(d) FEDERAL ADVISORY COMMITTEE ACT.—Sections 10 and 11 of the Federal Advisory Committee Act (5 U.S.C. App.) are the only sections of such Act that shall apply with respect to the Panel and the Council.

"SEC. 9108. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

"(a) DIRECTOR.—The Chairperson of the Panel shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

"(b) APPOINTMENT AND PAY OF EMPLOYEES.—

"(1) EMPLOYEE ALLOCATION.—(A) The Chairperson of the Panel may appoint not more than four employees to serve as staff to the Panel without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

"(B) The employees appointed under paragraph (1) may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, but shall not be paid a rate that exceeds the maximum rate of basic pay payable for GS–15 of the General Schedule.

"(2) ADDITIONAL EMPLOYEES.—The Chairperson of the Panel may appoint additional employees to serve as staff of the Panel consistent with the provisions of title 5, United States Code.

"(c) EXPERTS AND CONSULTANTS.—The Panel may procure temporary and intermittent services of experts and consultants under section 3019(b) of title 5, United States Code.

"(d) STAFF OF FEDERAL AGENCIES.—Upon the request of the Panel, the head of any department or agency of the United States is authorized to detail, on a reimbursable basis, any of the personnel of that agency to the Panel to assist the Panel in its duties under this subpart.

"SEC. 9109. AUTHORITY FOR GRANT.

"The Secretary shall make grants to provide for the following:

"(1) OPERATION.—The operation and activities of the Panel.

"(2) VOLUNTARY NATIONAL CONTENT STANDARDS DEVELOPMENT.—The development of voluntary national content standards in addition to those developed independently or under grant or contract from the Department of Education or other Federal agencies.

"(3) VOLUNTARY NATIONAL SCHOOL DELIVERY STANDARDS DEVELOPMENT.—The development of voluntary national school delivery standards which—

"(A) assure that every child shall have the opportunity to learn regardless of gender, race, economic condition, limited English proficiency, or disability;

"(B) describe the capacities of States, local educational agencies, and schools that are necessary to ensure that all students have an opportunity to achieve the voluntary national content standards; and

"(C) provide valuable information regarding the conditions of schools and instructional programs in relation to student performance.

"SEC. 6118. VOLUNTARY NATIONAL CONTENT STANDARDS.

"(a) CERTIFICATION OF VOLUNTARY NATIONAL CONTENT STANDARDS.—

"(1) IN GENERAL.—Upon recommendation of the Council, the Panel is authorized to certify voluntary national content standards and shall announce in advance the procedures to be used in the certification process. The Panel is authorized to certify only each set of standards in their entirety, and shall not approve or deny proposed standards in part or amend such standards in any way.

"(2) PROCESS REVIEW.—The Panel shall review the voluntary national content standards recommended by the Council.

"(b) ADDITIONAL GRANTS FOR VOLUNTARY NATIONAL CONTENT STANDARDS.—

"(1) IN GENERAL.—The Secretary is authorized to make grants to State educational agencies, local educational agencies, institutions of higher education, organizations with expertise in relevant academic areas, or a combination of such agencies or organizations to develop additional voluntary national content standards.

"(2) PROCESS.—The Secretary, in consultation with the Panel and the Council, shall establish the process by which such voluntary national content standards shall be developed. Such process shall provide for several consecutive drafts of standards which incorporate the comments and recommendations of educators and other knowledgeable individuals across the Nation.

"(c) CERTIFICATION REPORT.—The Panel shall submit to the Congress, the President, and the public a report certifying voluntary national content standards not later than December 31, 1994.

"SEC. 6111. VOLUNTARY NATIONAL SCHOOL DELIVERY STANDARDS.

"(a) DEVELOPMENT OF VOLUNTARY NATIONAL SCHOOL DELIVERY STANDARDS.—The Panel shall establish the process by which voluntary national school delivery standards shall be developed. Such process shall provide for several consecutive drafts of such standards which incorporate the comments and recommendations of educators and other knowledgeable individuals across the Nation.

"(b) GRANTS FOR VOLUNTARY NATIONAL SCHOOL DELIVERY STANDARDS.—

"(1) SELECTION.—The Panel, after considering the recommendation of the Council, shall make a recommendation to the Secretary regarding the selection of a consortium of individuals and organizations to receive grants to develop voluntary nation-

al school delivery standards. To the extent possible, each such consortium shall include the participation of—

"(A) Governors (except Governors serving on the Panel);

"(B) chief State school officers;

"(C) teachers (especially teachers involved in the development of voluntary national content standards);

"(D) principals;

"(E) superintendents;

"(F) State and local school board members;

"(G) parents;

"(H) State legislators (except State legislators serving on the Panel);

"(I) representatives of businesses;

"(J) representatives of regional accrediting associations;

"(K) representatives of federally funded entities referred to in clauses (i) and (ii) of section 405(d)(4)(A) of the General Education Provisions Act; and

"(L) civil rights groups and organizations (including those associated with the rights of individuals with disabilities).

"(2) TIME AND CONDITIONS.—In making a recommendation to the Secretary, the Panel shall propose a time period and other conditions for such grant that shall ensure that the process established under subsection (a) may be followed.

"(c) VOLUNTARY NATIONAL SCHOOL DELIVERY STANDARDS RATIFICATION.—After developing such voluntary national school delivery standards, the consortium shall convene a meeting to review and determine that such standards meet the following requirements:

"(1) STATE ADOPTION.—The voluntary national school delivery standards are sufficiently generic to be adopted for use in any State without unduly restricting State and local prerogatives regarding the instructional methods to be employed.

"(2) FAIR OPPORTUNITY.—The voluntary national school delivery standards are likely, if properly implemented, to ensure that each student in a school has a fair opportunity to achieve the knowledge and skills set out in the voluntary national content standards.

"(d) VOLUNTARY NATIONAL SCHOOL DELIVERY STANDARDS CERTIFICATION.—

"(1) PROCESS CONFORMANCE.—After ratification of a set of voluntary national school delivery standards under subsection (c), the Panel shall review the process by which such standards were developed and consult with the Council to determine and certify that such standards are of high quality and that such standards conform with the process established under subsection (a).

"(2) CERTIFICATION REPORT.—The Panel shall submit to the Congress, the President, and the public a report containing such certified voluntary national school delivery standards not later than December 31, 1994.

"SEC. 9112. GENERAL PROVISIONS RELATING TO STANDARDS.

"(a) CONTINUED REVIEW.—The Panel shall periodically (not more than once every 3 years) review all standards developed pursu-

ant to this subpart to determine whether such standards continue to reflect the best evidence available regarding what children should know.

"(b) NO INFLUENCE.—Nothing in this subpart shall be construed to permit the Secretary to prescribe or influence the content of particular standards.

"SEC. 8113. ASSESSMENT.

"While taking into consideration the existing research on assessment that the Office of Educational Research and Improvement is addressing, the Panel shall make recommendations to the Secretary regarding such research on authentic assessment and model assessments under the Dwight D. Eisenhower Mathematics and Science Education Act which such Office shall undertake.

"SEC. 8114. EVALUATION AND REPORTS.

"(a) EVALUATION.—The Secretary, through the National Academy of Sciences, shall conduct an evaluation and issue reports that include the following:

"(1) EVALUATION REPORT.—An evaluation of the effectiveness of—

"(A) voluntary national school delivery standards described in section 8111(a);

"(B) research on authentic assessment conducted by the Office of Educational Research and Improvement; and

"(C) the model assessments for voluntary national content standards for mathematics and any science standards that may be developed.

"(2) RECOMMENDATIONS.—Recommendations regarding the need for additional criteria to determine the validity, reliability, and fairness of assessments.

"(3) CRITERIA.—Criteria for evaluating—

"(A) whether assessments are substantially aligned to the voluntary national content standards; and

"(B) the sufficiency of evidence regarding the technical quality of an assessment in relation to its intended use.

"(b) REPORTS.—

"(1) INTERIM REPORT.—The National Academy of Sciences shall submit to the Congress, the Secretary, and the public an interim report regarding the material described in subsection (a) not later than December 31, 1993.

"(2) FINAL REPORT.—The National Academy of Sciences shall submit to the Congress, the Secretary, and the public a final report regarding the material described in subsection (a) not later than December 31, 1994.

"SEC. 8115. DEFINITIONS.

"For purposes of this subpart—

"(1) the term 'authentic assessment' means assessment tasks in which students are given the opportunity to provide self-constructed responses rather than selecting answers from a set of predetermined choices, including written, oral, or performed responses;

"(2) the term 'content standards' means a description, in a particular subject area, of the knowledge and skills children should acquire; and

"(3) the term 'school delivery standards' means the criteria for, and means of assessing, the resources, practices, and conditions necessary at each level of the education system (schools, school districts, and States) to provide all students with an opportunity to learn the material in both the voluntary national content standards (and the work force readiness standards), such as—

"(A) the quality and availability of the curriculum, instructional materials and technologies, and facilities;

"(B) the ability of teachers to provide quality instruction;

"(C) the availability of the best knowledge about teaching, learning, and learners to teachers and administrators;

"(D) the relationship of assessments to curricula; and

"(E) the presence of policies and practices that support desired student learning, including achievement of the voluntary national content standards by all students.

"SEC. 8116. AUTHORIZATION OF APPROPRIATIONS.

"(a) AUTHORIZATION FOR PANEL.—There are authorized to be appropriated $2,000,000 for each of the fiscal years 1993 through 1996 to carry out section 8103.

"(b) AUTHORIZATION FOR VOLUNTARY NATIONAL CONTENT STANDARDS.—There are authorized to be appropriated $10,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1996 to carry out section 8110(b).

"(c) AUTHORIZATION FOR VOLUNTARY NATIONAL SCHOOL DELIVERY STANDARDS.—There are authorized to be appropriated a total of $5,000,000 for the fiscal years 1993 and 1994 to carry out section 8111.

"(d) AUTHORIZATION FOR EVALUATIONS AND REPORTS.—There are authorized to be appropriated $2,000,000 for each of the fiscal years 1993 and 1994, which shall be made available to the National Academy of Sciences to carry out section 8114.

"Subpart 2—National Education Standards and Assessments Council

"SEC. 8201. NATIONAL EDUCATION STANDARDS AND ASSESSMENTS COUNCIL.

"(a) ESTABLISHMENT.—There is established a National Education Standards and Assessments Council (hereafter in this subpart referred to as the 'Council').

"(b) APPOINTMENT AND COMPOSITION.—

"(1) APPOINTMENT.—The Council shall be composed of 15 members (hereafter in this subpart referred to as 'members') appointed by the National Education Goals Panel described in section 8103 (hereafter in this subpart referred to as the 'Panel').

"(2) COMPOSITION.—The Council shall be composed as follows:

"(A) One-third of the Council shall be educators, including elementary and secondary school educators.

"(B) One-third of the Council shall be members of the general public (such as public officials and representatives of businesses, foundations, and advocacy communities).

"(C) One-third of the members of the Council shall be individuals with expertise in educational assessment, content standards, and curriculum design.

"(c) QUALIFICATIONS.—

"(1) IN GENERAL.—Members shall be appointed to the Council on the basis of widely recognized experience in, knowledge of, commitment to, and a demonstrated record of service to education and to achieving educational excellence at the Federal, State or local level.

"(2) NOMINATIONS.—Members under this subsection shall be appointed from among qualified individuals nominated by the public.

"(d) TERMS.—

"(1) IN GENERAL.—The members shall be appointed for three-year terms, with no member serving more than 2 consecutive terms.

"(2) INITIAL SELECTION.—The Panel shall establish initial terms for individuals of 2, 3, or 4 years in order to establish a rotation in which one-third of the members are selected each year.

"(3) SPECIAL PROVISION.—No member of the Panel may concurrently serve as a member of the Council.

"(4) DATE OF APPOINTMENT.—The initial members shall be appointed, by the Panel, not later than 120 days after the date of enactment of the Neighborhood Schools Improvement Act.

"(5) RETENTION.—In order to retain an appointment to the Council, a member must attend at least two-thirds of the scheduled meetings of the Council in any given year.

"(6) OFFICER SELECTION.—The members appointed under subsection (b)(2) shall select officers of the Council from among the members of the Council. The officers of the Council shall serve for 1-year terms.

"(7) VACANCIES.—A vacancy on the Council shall not affect the powers of the Council, but shall be filled in the same manner as the original appointment.

"(8) TRAVEL.—Each member of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

"(9) INITIATION.—The Council shall begin to carry out the duties of the Council under this subpart when all 15 members have been appointed.

"SEC. 8282. FUNCTIONS OF THE COUNCIL.

"(a) FUNCTIONS.—The Council shall—

"(1) be an advisory body to the Panel;

"(2) develop criteria for reviewing voluntary national content standards as world class;

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"(3)(A) develop criteria for the development of different types of model assessments tied to the voluntary national content standards in mathematics and science in accordance with section 2012(g) of the Dwight D. Eisenhower Mathematics and Science Education Act;

"(B) make recommendations to the Secretary regarding the awarding of grants under section 2012(g)(1) of such Act;

"(4) make recommendations to the panel regarding the selection of groups and organizations for grants to develop voluntary national content standards, voluntary national school delivery standards, and model assessments of the voluntary national content standards for mathematics and science described in paragraph (3); and

"(5) review, and make recommendations to the Panel regarding, voluntary national content standards to determine if such standards—

"(A) are sufficiently general to be adopted by any State;

"(B) reflect the best evidence available regarding the knowledge and skills that students should acquire in the academic subject area of such standards; and

"(C) are sufficiently challenging to ensure that American students receive instruction at world-class levels.

"(b) PERFORMANCE OF FUNCTIONS.—In carrying out its responsibilities, the Council shall work with Federal and non-Federal agencies and organizations which are conducting research, studies, or demonstration projects to determine world-class education standards.

"(c) DATA COLLECTION.—The Council shall make arrangements with any appropriate entity to generate or collect such data as may be necessary to carry out its functions.

"SEC. 5203. ANNUAL REPORTS.

"Not later than 1 year after the date the Council concludes its first meeting of members and in each succeeding year, the Council shall prepare and submit a report to the President, the appropriate committees of Congress, and the Governor of each State, regarding its work.

"SEC. 5204. POWERS OF THE COUNCIL.

"(a) HEARINGS.—

"(1) IN GENERAL.—The Council shall, for the purpose of carrying out this subpart, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Council considers appropriate.

"(2) CONDUCT.—In carrying out this subpart, the Council shall conduct public hearings in different geographic areas of the United States, both urban and rural, to receive the reports, views, and analyses of a broad spectrum of experts and the public on the establishment of national education standards and assessments.

"(b) INFORMATION.—The Council may secure directly from any department or agency of the United States information necessary to enable the Council to carry out this subpart. Upon request of the Chairperson of the Council, the head of a department or agency

shall furnish such information to the Council to the extent permitted by law.

"(c) POSTAL SERVICES.—The Council may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

"(d) ADMINISTRATIVE AND SUPPORTIVE SERVICES.—The Secretary shall provide to the Council, on a reimbursable basis, administrative and supportive services as the Council may request.

"SEC. 8246. ADMINISTRATIVE PROVISIONS.

"(a) MEETINGS.—The Council shall meet on a regular basis, as necessary, at the call of the Chairperson of the Council or a majority of its members.

"(b) QUORUM.—A majority of the members shall constitute a quorum for the transaction of business.

"(c) VOTING.—The Council shall take all action of the Council by a two-thirds majority vote of the total membership of the Council, assuring the right of the minority to issue written views. No individual may vote or exercise any of the powers of a member by proxy.

"SEC. 8247. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

"(a) DIRECTOR.—The Chairperson of the Council shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

"(b) APPOINTMENT AND PAY OF EMPLOYEES.—

"(1) EMPLOYEE ALLOCATION.—(A) The Chairperson of the Council may appoint not more than four employees to serve as staff to the Council without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

"(B) The employees appointed under paragraph (1) may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, but shall not be paid a rate that exceeds the maximum rate of basic pay payable for GS-15 of the General Schedule.

"(2) ADDITIONAL EMPLOYEES.—The Chairperson of the Council may appoint additional employees to serve as staff of the Council consistent with the provisions of title 5, United States Code.

"(c) EXPERTS AND CONSULTANTS.—The Council may procure temporary and intermittent services under section 3019(b) of title 5, United States Code.

"(d) STAFF OF FEDERAL AGENCIES.—Upon the request of the Council, the head of any department or agency of the United States is authorized to detail, on a reimbursable basis, any of the personnel of that department or agency to the Council to assist the Council in its duties under this part.

"SEC. 8307. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to the Council $2,000,000 for each of the fiscal years 1993 through 1996 to carry out this subpart.

"PART B—NEIGHBORHOOD SCHOOLS IMPROVEMENT

"SEC. 8301. SHORT TITLE.

"This part may be cited as the 'Neighborhood Schools Improvement Program Act'.

"SEC. 8302. CONGRESSIONAL FINDINGS.

"The Congress finds that—

"(1) all students can learn and must realize their potential if the United States is to prosper;

"(2) the reforms in education of the last 15 years have achieved good results, but these efforts often have been limited to a few schools or to a single part of the educational system;

"(3) additional pilot projects will have the same limited effect as previous reforms and isolated changes in policy will most likely have minimal impact;

"(4) strategies must be developed by States and communities to support the revitalization of all local public schools by fundamentally changing the entire system of education through comprehensive, coherent, and coordinated improvement while recognizing the diverse cultural and language backgrounds and learning abilities of students;

"(5) parents, teachers and other local educators, and community leaders must be involved in developing system-wide reform strategies that reflect the needs of their individual communities;

"(6) principals and teachers at local public schools must be involved in school-wide reform strategies that reflect the needs of their individual schools;

"(7) States, local educational agencies and local public schools, working together, must immediately set about developing and implementing such system-wide reform strategies if the Nation is to educate all children to meet their full potential and achieve national goals;

"(8) increasing the funding for existing Federal education programs at levels that will enable such programs to fulfill their mission is a critical part of assisting States and local educational agencies in their school improvement efforts; and

"(9) additional Federal funds should be targeted to support State and local initiatives and to leverage State and local resources for designing and implementing system-wide reform plans.

"SEC. 8303. STATEMENT OF PURPOSE.

"It is the purpose of this part to—

"(1) raise the quality of education and achievement of all students by supporting a 10-year broad-based public effort involving increased community, parental, and business collabora-

tion to promote coherent and coordinated improvements in the public schools and systems of education throughout the Nation at the State and local levels without jeopardizing funding for existing Federal education programs; and

"(2) meet the National Education Goals.

"SEC. 8304. PROGRAM AUTHORIZED.

"(a) AUTHORITY.—The Secretary is authorized, in accordance with the provisions of this part, to make grants from allotments under section 8305 to State educational agencies to enable States and local educational agencies to pay the Federal share of reforming and improving the quality of education in neighborhood public schools throughout the Nation. Such grants shall be used to implement reforms and plans to improve the education system at the State and local levels.

"(b) MATCHING REQUIREMENT.—

"(1) IN GENERAL.—The Federal share under this part may not exceed—

"(A) 100 percent of the total cost of a program for the first 3 fiscal years for which a State receives funds under this part;

"(B) 90 percent of such cost in such fourth year;

"(C) 80 percent of such cost in such fifth year; and

"(D) 70 percent of such cost in such sixth and any succeeding such year.

"(2) NON-FEDERAL SHARE.—(A) The non-Federal share of the cost of a program assisted under this part shall be paid by the State from funds raised at the State level and may include contributions from the private sector.

"(B) The non-Federal share of the cost of a program assisted under this part may be in cash or in kind fairly evaluated.

"(3) LIMITATION.—The requirements of this subsection shall not apply to the Virgin Islands or the outlying areas.

"(c) MAINTENANCE OF EFFORT.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that either the combined fiscal effort per student or the aggregate expenditures within the State with respect to the provision of free public education for the preceding fiscal year was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second preceding fiscal year.

"SEC. 8305. ALLOTMENT OF FUNDS.

"(a) ALLOTMENT.—

"(1) RESERVATION.—In addition to the funds the Secretary may reserve under section 8312(a), the Secretary shall reserve 1 percent of the amount appropriated pursuant to the authority of section 8317 in each fiscal year to award grants to the outlying areas and to the Secretary of the Interior for the Bureau of Indian Affairs schools using whatever mechanism the Secretary determines shall best meet the purposes of this part.

"(2) ALLOTMENT.—From the amount appropriated pursuant to the authority of section 8317 in each fiscal year and not reserved pursuant to paragraph (1) or section 8312(a), the Secretary shall allot to each State educational agency in the 50 States, the District of Columbia and the Commonwealth of

Puerto Rico having an application approved under section 8306 an amount which bears the same relation to—

"(A) 50 percent of such funds as the amount such State educational agency received under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 in the preceding fiscal year bears to the amount received by all State educational agencies under such chapter in such fiscal year; and

"(B) 50 percent of such funds as the amount such State educational agency received under chapter 2 of title I of the Elementary and Secondary Education Act of 1965 in the preceding fiscal year bears to the amount received by all State educational agencies under such chapter in such fiscal year.

"(b) STATE USE OF ALLOTMENT.—

"(1) INITIAL YEAR.—In the initial year for which a State educational agency receives an allotment under this part, such allotment funds—

"(A) shall be used to develop a State Neighborhood Schools Improvement Plan as required under section 8307; and

"(B) may be used to make subgrants for the purpose of developing local plans in accordance with section 8308.

"(2) SECOND AND SUCCEEDING YEARS.—In the second and succeeding years for which a State educational agency receives an allotment under this part—

"(A) not more than 20 percent of the total cost of a State's program assisted under this part (including matching funds) in each such year may be used—

"(i) to implement the State plan developed pursuant to section 8307, including State achievement goals, a means for developing or adopting high quality, challenging curricular frameworks and coordinated curricular materials, professional development strategies, and assessments;

"(ii) for technical assistance; and

"(iii) for other innovative school reform activities that are consistent with such State's plan and subject to peer review; and

"(B) not less than 80 percent of the total cost of a State's program assisted under this part (including matching funds) in each such year shall be used by the State educational agency to award subgrants, on a competitive basis, of sufficient size and duration, to local educational agencies to enable each such local educational agency to develop and carry out planned activities in accordance with the local educational agency's application described in section 8309.

"(3) SUBGRANTS.—(A) In awarding subgrants in accordance with this part each State educational agency receiving assistance under this part in a fiscal year shall award not less than 50 percent of such subgrant funds in such fiscal year to local educational agencies in the State which have a greater percentage or number of disadvantaged children than the statewide

average such percentage or number for all local educational agencies in the State, except that State educational agency may waive the requirements of this subparagraph if such State educational agency does not receive a sufficient number of applications from local educational agencies in a State to enable such State educational agency to carry out this subparagraph (provided that such State educational agency making such a waiver shall award a subgrant in accordance with subparagraph (B)).

"(B) In carrying out subparagraph (A), the State educational agency shall award a subgrant (from funds described in subparagraph (A)) in each fiscal year to the local educational agency in the State with the greatest number of disadvantaged children.

"(4) DEFINITION.—For the purpose of paragraph (2) the term 'disadvantaged children' means children eligible to be counted under chapter 1 of title I.

"(c) ADMINISTRATIVE EXPENSE.—A State educational agency shall not use more than 5 percent of the allotment received under this section for administrative expenses.

"SEC. 8306. STATE APPLICATIONS.

"(a) IN GENERAL.—If a State desires to receive an allotment under this part, the State educational agency shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

"(b) CONSIDERATION OF APPLICATIONS.—Each such application shall—

"(1) contain satisfactory evidence that the State educational agency has or will have authority, by legislation if necessary, to implement the plan required under section 8307;

"(2) provide an assurance that the State has a strategy for ensuring broad participation in the planning process of establishing goals, refining such goals in the future, and participating in the development of all other components of the State plan;

"(3) provide an assurance that the State will notify the public (including individuals with limited English proficiency), through print and electronic media (and other accessible formats) and provide notice to each local educational agency—

"(A) that the State has made application for funds under this part;

"(B) of the purposes for which the funds will be used; and

"(C) that the State is developing a plan in accordance with section 8307;

"(4) provide an assurance that all students will have equal access to the curricular frameworks, high quality curricular materials, and well-qualified teachers;

"(5) describe actions taken and resources identified or committed to meet the requirements of this part;

"(6) provide an assurance that the applicant will prepare and submit to the Secretary, annual evaluations of and reports concerning the State program; and

"(7) provide an assurance that the State will carry out the provisions of section 8307.

"(c) APPROVAL.—The Secretary shall approve an application and any amendment to the application if the application or such amendment meets the requirements of this section and is of sufficient quality to meet the objectives of this part. The Secretary shall not finally disapprove an application or an amendment to such application except after providing reasonable notice, technical assistance, and an opportunity for a hearing.

"(d) REAPPLICATION.—

"(1) IN GENERAL.—A State educational agency may apply for assistance for a second 5-year period and such application shall be approved by the Secretary if the State—

"(A) has met all of the State's reporting requirements under this part; and

"(B) demonstrates that the State has made reasonable progress in carrying out its State plan.

"(2) REAPPLICATION APPROVAL.—The Secretary shall not finally disapprove a reapplication or any amendment to such reapplication except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

"SEC. 8307. DEVELOPMENT AND APPROVAL OF STATE PLAN.

"(a) ESTABLISHMENT OF PANEL.—Each State educational agency receiving an allotment under this part shall establish a panel to develop a statewide reform plan in cooperation with the State educational agency. Such panel shall consist of—

"(1) the chief executive of the State (or designee);

"(2) the presiding officers and the minority leaders of the State legislature (or designees);

"(3) the chief State school officer;

"(4) the head of the office that coordinates higher education programs in the State or, if there is no such office, the head of the office designated under section 2005(b)(1) of the Dwight D. Eisenhower Mathematics and Science Education Act (or designee);

"(5) except in the case of a State with a single local educational agency, an individual nominated by representatives of local educational agencies that comprise between 5 to 10 percent of the local educational agencies in the State with the lowest average per pupil expenditures;

"(6) an individual representing the State board of education; and

"(7) except in the case of a State with a single local educational agency, an individual nominated by representatives of the 5 local educational agencies with the highest number of students eligible for services under part A of chapter 1 of title I of this Act.

"(b) ADDITIONAL MEMBERS.—

"(1) IN GENERAL.—The first meeting of such panel shall be convened by the chief State school officer. At such meeting, the panel members designated and nominated in subsection (a) shall select additional panel members, such as—

"(A) classroom teachers;

"(B) superintendents;
"(C) principals;
"(D) local school boards;
"(E) parents;
"(F) parents of children with disabilities;
"(G) businesses;
"(H) community-based organizations; and
"(I) students.

"(2) MEMBERSHIP.—The membership of the panel shall—

"(A) be geographically representative of all areas of the State;

"(B) reflect the racial and ethnic diversity of the population of the State; and

"(C) not exceed 13 in number.

"(3) MEETINGS.—Following the selection of additional members, the chief State school officer shall convene a meeting of the full panel to establish procedures regarding the operation of subsequent meetings, including the designation of a panel Chairperson, consistent with applicable State law.

"(c) DEVELOPMENT OF STATE PLAN.—

"(1) IN GENERAL.—The panel shall develop the State plan cooperatively with the chief State school officer and the State educational agency. The development procedures shall include initial consultations among the chief State school officer, the State educational agency and the panel on the framework and components of the plan. Following such consultations, the chief State school officer shall prepare an initial State plan. The panel shall then develop a proposed final State plan and transmit the proposed final State plan to the State educational agency for approval. Such plan shall—

"(A) establish State goals to maximize achievement for all children in conjunction with the National Educational Goals;

"(B) establish curricular frameworks and identify instructional materials in specific subject matter areas that incorporate the goals established under subparagraph (A);

"(C) provide for the adoption of school delivery standards;

"(D) provide for the establishment or adoption of a valid, reliable, and fair assessment system based upon the curricular frameworks that is capable of accurately measuring the skills and knowledge required to meet State goals;

"(E) describe plans to improve the professional development of teachers and school leaders;

"(F) describe methods of coordinating health, rehabilitation, and social services with education through State interagency cooperation and agreements;

"(G) describe the steps the State educational agency shall take to provide remedial assistance to students, schools, and local educational agencies that are identified through the assessment system under subparagraph (D) as having a need for such assistance; and

"(H) provide for the development of a strategy to use and integrate educational technology in schools throughout

the State for instructional purposes and the training of parents, teachers, and administrators.

"(2) REQUIREMENTS.—In developing the plan, the panel, in cooperation with the State educational agency, shall ensure broad-based participation through regular notice and dissemination of information to the public (including individuals with limited English proficiency).

"(3) PUBLIC COMMENT.—

"(A) Following the development of the plan, the panel, in cooperation with the State educational agency, shall seek public comment by—

"(i) publishing the plan with a comment period of at least 60 days; or

"(ii) notifying the public (including individuals with limited English proficiency) through electronic and print media (and other accessible formats) and by conducting regional hearings.

"(B) After providing the public with an opportunity to comment on the plan, the panel shall consider the public comments and make appropriate changes.

"(4) SUBMISSION.—(A) The panel shall submit the plan to the State educational agency in order to enable such agency to—

"(i) approve the plan with or without modification;

"(ii) disapprove the plan; or

"(iii) return the plan to the panel for further development.

"(B) If a State has, pursuant to a State law or regulation enacted or promulgated not later than July 1, 1992, adopted a State school reform plan which provides for systemic reform that is comparable to the provisions of this section, then the Secretary, upon application by the State educational agency for a waiver (including a description of the reasoning for the waiver) may waive the requirements of this section.

"(5) INCLUSION OF PANEL COMMENTS.—Each State educational agency submitting a plan under this section shall attach a copy of the panel's comments to such plan.

"(6) APPROVAL.—(A) The Secretary shall approve a State's plan if such plan meets the requirements of this section.

"(B) The Secretary shall not finally disapprove a State's plan or any amendment to such plan except after giving reasonable notice and an opportunity for a hearing.

"(d) REVIEW OF STATE PLAN.—The panel and the State educational agency shall review on an ongoing basis, the implementation of the State plan for the period during which the State receives funding under this part. The results of such review shall be prepared in writing by the panel and included by the State in its annual report to the Secretary under section 8311(a).

"(e) DESCRIPTION OF GRANT ADMINISTRATION.—A plan developed under this section shall describe the measures to be undertaken by the State to administer the allotment provided to the State educational agency under this part. Such plan shall include—

"(1) a description of the procedures that shall be used to inform local educational agencies and schools about the pro-

gram assisted under this part, and of the availability of technical assistance, where necessary;

"(2) a description of the measures to be undertaken to monitor and evaluate the activities and results at schools receiving funds under this part;

"(3) a description of the measures to be undertaken to implement a competitive process using peer review to award subgrants under this part in accordance with section 8309;

"(4) an assurance that funds received under this part shall be used to supplement and not supplant other Federal, State, and local funds available to local educational agencies and the schools;

"(5) an assurance that funding under this part shall terminate if the State educational agency determines that a local educational agency is not successfully implementing the activities and services described in the application submitted pursuant to section 8306(b); and

"(6) a description of the appeals process available for local educational agencies whose funding under this part has been terminated pursuant to paragraph (5).

"SEC. 8308. DEVELOPMENT AND APPROVAL OF LOCAL SCHOOL REFORM PLANS.

"(a) LOCAL COMMITTEE.—

"(1) IN GENERAL.—A local educational agency which desires to receive a subgrant under this section shall establish a committee comprised of—

"(A) the chief elected officer of the unit of general purpose local government with boundaries which are most closely aligned with the geographic boundaries of the local educational agency (or a designee);

"(B) the superintendent of the local educational agency;

"(C) a representative nominated by the local school board;

"(D) a representative nominated by a local teacher association; and

"(E) a representative nominated by an association with business members that have an interest in educational improvement.

"(2) FIRST MEETING.—(A) The first meeting of such committee shall be convened by the superintendent to enable the committee members designated and selected in accordance with paragraph (1) to select additional members, such as—

"(i) parents of students in public elementary and secondary schools, such as parents of—

"(I) students with a disability;

"(II) students who are low-income; and

"(III) students who are limited-English proficient;

"(ii) members of the general public with a strong interest in public education;

"(iii) principals;

"(iv) teachers;

"(v) curriculum, testing, or evaluation supervisors; and

"(vi) a representative of a local institution of higher education.

"(B) The total number of committee members may not exceed 15 and shall be racially and ethnically diverse to the extent possible.

"(3) CONVENING OF MEETINGS.—Following the selection of the additional members, the superintendent shall convene a meeting of the full committee to establish procedures regarding the operation of subsequent meetings, including the designation of a committee chairperson, consistent with applicable State and local law.

"(4) OPEN MEETINGS.—Each meeting of such committee shall be open to the public and accessible to individuals with disabilities.

"(5) LOCAL PLAN DEVELOPMENT.—The committee shall develop the local plan described in subsection (b).

"(6) SPECIAL RULE.—If a local educational agency has, pursuant to a State law or regulation enacted or promulgated not later than July 1, 1992, adopted a local school reform plan which is comparable to the provisions of this section, then the State educational agency shall waive the requirements of this section.

"(b) LOCAL PLAN REQUIREMENTS.—

"(1) IN GENERAL.—The local plan shall—

"(A) incorporate school restructuring concepts submitted by individual schools or consortia thereof pursuant to section 8309;

"(B) propose local educational agency-wide reform which includes—

"(i) the setting of local goals;

"(ii) a process to ensure that curricular and instructional materials, and assessments and other indicators of student performance, reflect State goals, State curricular frameworks and local goals;

"(iii) professional and staff development; and

"(iv) a review of the administrative and staffing structure of the local educational agency and individual schools within such agency; and

"(C) provide special attention to the needs of minority and female students, including instructional programs and activities that—

"(i) reflect cultural awareness and multicultural diversity;

"(ii) encourage alternative learning styles;

"(iii) encourage such students in elementary and secondary schools to aspire to enter higher education programs;

"(iv) encourage increased participation in mathematics and sciences; and

"(v) promote gender equity in classrooms and curricula.

"(c) CONSIDERATION OF PLAN BY THE LOCAL EDUCATIONAL AGENCY.—

"(1) SUBMISSION.—The committee shall submit the local plan to the local educational agency for approval.

"(2) PUBLIC MEETINGS.—

"(A) The local educational agency, with proper public notice, shall conduct public meetings to review and discuss all aspects of the plan.

"(B) After the meetings required under subparagraph (A), the local educational agency, with proper notice, shall convene a public meeting to consider the local plan and shall—

"(i) approve the plan with or without modification;

"(ii) disapprove the plan; or

"(iii) return the plan to the committee for further development.

"(3) INCLUSION OF WRITTEN COMMENTS.—A local educational agency which approves a local plan shall include in the application submitted under section 8309(e) the written comments of the local committee regarding such plan prior to submitting such plan to the State for consideration for a subgrant.

"(d) REVISIONS.—Revisions of the local plan shall be consistent with the provisions of this section.

"(e) REVIEW OF LOCAL PLAN.—The committee and the local educational agency shall review, on an ongoing basis, the progress of the local educational agency in implementing the local plan for the period during which such agency receives funding under this part.

"SEC. 8309. LOCAL SCHOOL REQUIREMENTS AND LOCAL APPLICATION.

"(a) DISTRIBUTION REQUIREMENT.—Each local educational agency desiring a subgrant under this part shall distribute the approved local plan described in section 8308 to each school served by such local educational agency.

"(b) NOTIFICATION.—Each local educational agency desiring a subgrant under this part shall notify all schools served by such agency of such agency's intention to apply for a grant under this part. Such notification shall include a request for proposals in accordance with subsection (c).

"(c) SCHOOL RESTRUCTURING PROPOSAL.—A school or consortium thereof which receives funds under this part shall use such funds for an initiative, consistent with the State and local plans, to implement comprehensive, schoolwide changes in the structure of such school or consortium in order to help the school or consortia improve academic achievement. Such funds shall be used for any initiatives which will result in comprehensive schoolwide change, consistent with the State and local plans, such as—

"(1) early childhood education;

"(2) school-based management initiatives;

"(3) professional and staff development;

"(4) parent education and involvement programs;

"(5) expanded use of technology, including the use of technology for staff development;

"(6) alternative programs for school dropouts; and

"(7) class size reduction programs.

"(d) COMPETITIVE AWARD BASIS.—Each local educational agency desiring a subgrant under this part shall select restructuring proposals for funding under this part on a competitive basis.

"(e) LOCAL APPLICATION.—Each local educational agency desiring a subgrant from the State educational agency shall submit an application to such State educational agency at such time, in such manner, and accompanied by such information as such State educational agency may reasonably require. Each such application, at a minimum, shall—

"(1) include a copy of the local plan approved by the local educational agency;

"(2) include a copy of the restructuring proposals from local schools, or consortia thereof, that the local educational agency will fund if such local educational agency receives a subgrant under this part;

"(3) provide for the availability of curricular frameworks, curricular materials, and professional development in a nondiscriminatory manner;

"(4) describe the support the local educational agency will provide to ensure the success of the individual school restructuring proposal;

"(5) contain assurances that the local educational agency with an approved plan—

"(A) will use not less than 85 percent of the funds such agency receives under this part in the first fiscal year such agency receives such funds to carry out restructuring activities in the school buildings of schools selected to receive assistance in accordance with this part; and

"(B) will use not less than 90 percent of such funds in the second and succeeding years such agency receives such assistance for such activities;

"(6) provide that the school building administrator or responsible school level fiscal agent will have control over the restructuring funds as part of the school budget;

"(7) describe the steps the local educational agency shall take to ensure that successful practices, supported by assistance provided to schools under this part, shall be disseminated to other schools in the local educational agency;

"(8) include an assurance that the local educational agency shall provide for an ongoing evaluation of the effectiveness of the local plan in meeting State and local goals and in raising the achievement of all students while closing the gap between high and low achieving students, which evaluation shall use multiple measures; and

"(9) contain an assurance that the local educational agency will not use more than 5 percent of the funds such agency receives under this part for administrative expenses.

"(f) REVIEW OF LOCAL PLAN.—

"(1) IN GENERAL.—The local committee established pursuant to section 8308(a), the local educational agency and participating schools shall review, on an ongoing basis, the progress of the local educational agency in implementing the local plan for the period during which such agency receives a subgrant under this part.

"(2) REPORT.—The local committee established pursuant to section 8308(a) shall annually submit a written progress report to the local educational agency, the State panel established under section 8307(a), and the State educational agency. The local educational agency may submit a separate report to such panel or the State educational agency, including comments on the report submitted by the local committee.

"(g) CONTINUING ELIGIBILITY.—In order to continue to receive funds under this part each school or consortia thereof receiving funds under this part shall demonstrate—

"(1) reasonable progress relevant to the preceding year in the implementation of its school restructuring proposal; and

"(2) improved student performance using multiple measures of achievement in the fourth, fifth, and if appropriate, succeeding years of the program assisted under this part.

"(h) PLANNING SUBGRANTS.—Notwithstanding any other provision of law, a local educational agency that has not developed and approved a local plan may submit an application for a subgrant to the State educational agency for funds to develop the local educational agency's local plan in accordance with section 8309. The State educational agency shall award such subgrants on a competitive basis. The State educational agency may use funds described in subparagraph (A) or (B) of section 8305(b)(2) (including matching funds) to award such subgrants.

"SEC. 8310. AVAILABILITY OF INFORMATION AND TRAINING.

"(a) INFORMATION AND TRAINING.—Proportionate to the number of children in a State or in a local educational agency who are enrolled in private elementary or secondary schools—

"(1) a State educational agency or local educational agency which uses funds under this part to develop goals, curricular frameworks, curricular materials, and assessments shall, upon request, make information related to such goals, frameworks, materials, and assessments available to private schools; and

"(2) a State educational agency or local educational agency which uses funds under this part for teacher and administrator training shall provide in its plan for the training of teachers and administrators in private schools located in the geographical area served by such agency.

"(b) WAIVER.—If, by reason of any provision of law, a State or local educational agency is prohibited from providing for the equitable participation of teachers and administrators from private schools in training programs assisted with Federal funds provided under this part, or if the Secretary determines that a State or local educational agency has substantially failed or is unwilling to provide for such participation, the Secretary shall waive such requirements and shall arrange for the provision of training consistent with State goals and curricular frameworks for such teachers and administrators. Such waivers shall be subject to consultation, withholding, notice, and judicial review in accordance with section 1017 of this Act.

"SEC. 8311. ANNUAL PROGRESS REPORTS; TECHNICAL ASSISTANCE.

"(a) ANNUAL REPORT.—A State which receives funds under this part shall annually report to the Secretary—

"(1) regarding such State's progress in meeting its goals and plan;

"(2) describing proposed activities for the succeeding year;

"(3) describing Federal regulations which may impede reform activities under this part as described in local plans approved by the State; and

"(4) describing indicators of achievement for students attending schools assisted under this part.

"(b) DATA.—Each local educational agency serving a school that receives a grant under this part shall annually collect and submit to the State educational agency data on the project assisted under this part based on the statistical indicators and other criteria described in the application submitted by the school. Such data shall include multiple measures and may take into consideration the mobility of students in the schools served under this part or other special factors.

"(c) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance, either directly by grant or by contract, to the States to assist the States in complying with the requirements of this section.

"SEC. 8312. EVALUATION AND DISSEMINATION.

"(a) EVALUATION.—The Secretary shall evaluate a representative sample of such State and local reform efforts over the course of the 10-year authorization in order to assess the effectiveness of such plans and activities in improving the educational performance of all children. Such evaluations shall specifically examine the effects of such activities on disadvantaged students. The Secretary may reserve up to ⅝ of 1 percent of the amount appropriated for this part to carry out this section provided that ½ of 1 percent of such appropriation shall be reserved for technical assistance under section 8311(c) and for subsection (b) of this section.

"(b) CONTRACT FOR STATISTICAL, LEGAL, AND POLICY ANALYSIS.—

"(1) IN GENERAL.—The Secretary shall provide, through a contract with the National Academy of Sciences, for the preparation of a statistical, legal, and policy analysis of school finance and related data reported by the States under section 406(g)(1) of the General Education Provisions Act. Such analysis shall—

"(A) address disparities in educational expenditures and the reasons for such disparities among local educational agencies in each State and among States across the Nation; and

"(B) describe the degree to which the data reported by States under such section was useful in its preparation of such analysis.

"(2) ADDITIONAL CONTENTS.—(A) The National Academy of Sciences shall include in this analysis—

"(i) a description of the barriers to school finance equalization and their rationale, plus the effects of school finance equalization on tax burdens;

"(ii) an examination of the fiscal capacity of States and local educational agencies to provide high quality education to all students;

"(iii) an examination of the fiscal effort States and local educational agencies are making to provide high quality education to all students;

(iv) an examination of the trends in State school finance legislation and judicial actions; and

"(v) an examination of the impact of Federal, State, and local programs and policies on equalizing access to educational opportunity.

"(B) In addition, the Academy shall consider and analyze alternatives to finance equalization as means to provide equal educational opportunities for all pupils. Such alternatives should include possible uses of various educational technologies, their cost effectiveness, and their effects on educational quality and equity.

"SEC. 8313. REPORTS.

"(a) REPORTS TO CONGRESS.—The Secretary shall submit annually to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate a report that contains—

"(1) a description of the progress that States receiving funds under this part have made in developing and implementing their plans;

"(2) information from State and local reports regarding requirements in Federal laws or regulations which have been identified by States and local educational agencies as impeding the system-wide reform of schools under this part; and

"(3) summaries of all data collected from and reports filed by schools, local educational agencies and State educational agencies pursuant to the requirements of this part.

"SEC. 8314. NATIVE AMERICAN PROVISIONS.

"(a) NATIVE AMERICAN AGREEMENTS.—

"(1) IN GENERAL.—The funds allotted to the Secretary of the Interior under section 8305(a)(1) shall be made in a payment which shall be pursuant to an agreement between the Secretary and the Secretary of the Interior containing such assurances and terms as the Secretary determines will best achieve the purposes of this part. The agreement shall contain an assurance that—

"(A) a panel, as set forth in paragraph (2) of this subsection, shall be established;

"(B) a plan as required in section 8307 shall be developed by such panel; and

"(C) the provisions and activities required under section 8307 shall be carried out in the same time frames stipulated for the States in those sections, provided that the term 'local educational agencies' shall be interpreted to mean 'schools funded by the Bureau of Indian Affairs'.

"(2) PANEL.—To carry out the provisions of this part, and to develop the plan required under the agreement with the Secretary required in paragraph (1), the Secretary of the Interior

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shall establish a panel coordinated by the Assistant Secretary of the Interior for Indian Affairs to develop a system-wide reform plan. Such panel shall consist of—

"(A) the Assistant Secretary of the Interior for Indian Affairs (or designee);

"(B) the Chairpersons and ranking minority members of the Committee on Education and Labor of the House of Representatives and the Select Committee on Indian Affairs of the Senate (or their designees);

"(C) the Director of the Office of Indian Education Programs of the Bureau of Indian Affairs and such heads of divisions in such office as the Director shall designate; and

"(D) a representative nominated by each of the following:

"(i) the organization representing the majority of teachers and professional personnel in Bureau-operated schools;

"(ii) the organization representing the majority of nonteaching personnel in Bureau-operated schools, if not the same organization as in clause (i);

"(iii) school administrators of Bureau-operated schools;

"(iv) education line officers located in Bureau area or agency offices serving elementary or secondary programs;

"(v) the organization representing the majority of Bureau-funded contract or grants schools not serving students on the Navajo reservation;

"(vi) the organization representing the majority of Bureau-funded contract or grants schools serving students on the Navajo reservation;

"(vii) the organization representing the school boards required in Bureau-operated schools, not serving students on the Navajo reservation; and

"(viii) the organization representing the school boards required in Bureau-operated schools, serving students on the Navajo reservation.

"(3) ADDITIONAL MEMBERS.—In addition, the members of the panel stipulated above shall designate for full membership 3 tribal chairmen (or designees) or representatives of 3 national organizations which primarily represent national Indian education concerns, or a combination of these 2 classes, provided that the National Advisory Council on Indian Education, established under the Indian Education Act of 1972, shall not be included as an organization for consideration under this provision.

"(b) BIA ANALYSIS.—

"(1) IN GENERAL.—(A) The Assistant Secretary of the Interior for Indian Affairs shall reserve, from the allotment described in section 8305(a)(1), an amount not to exceed $500,000 to provide, through the National Academy of Sciences, for an analysis of the costs associated with meeting the academic standards of the Bureau of Indian Affairs by each school funded by such Bureau.

"(B) The results of such analysis shall be reported, in aggregate and school specific form, to the chairpersons of the Committee on Education and Labor of the House and the Select Committee on Indian Affairs of the Senate and to the Assistant Secretary of the Interior for Indian Affairs not later than 6 months following the date of enactment of the Neighborhood Schools and Improvement Act.

"(2) CONTENT.—Such analysis shall evaluate the cost of providing a program in each school funded by the Bureau of Indian Affairs during the academic year July 1, 1993, through June 30, 1994, and shall be based on—

"(A) the standards—

"(i) published by such Bureau in the Federal Register and in effect for Bureau operated schools on July 1, 1992, or

"(ii) incorporated within grant or contract agreements in effect on such date for tribally controlled schools funded by such Bureau through the Student Equalization program under section 1126 of Public Law 95–561;

"(B) the best projections of student counts and demographics, as independently determined by such Academy; and

"(C) the pay and benefit schedules and other personnel requirements for each such Bureau funded school, in effect on July 1, 1992.

"SEC. 8315. GENERAL PROVISIONS.

"Nothing in this part shall—

"(1) supersede State law;

"(2) be construed to authorize any department, agency, officer, or employee of the Federal Government to—

"(A) exercise any control over the curriculum, program of instruction, administration or personnel of any educational institution or school system; or

"(B) prescribe the use of particular standards, assessments, or instructional materials;

"(3) be construed to limit the rights or responsibilities of any person under any Federal law;

"(4) be construed to prohibit a local educational agency from receiving contributions from private organizations or individuals for the purpose of supporting the development or implementation of its local reform plan; or

"(5) be construed to authorize the use of any funds under this part (except as provided in section 8310) to directly or indirectly benefit any school other than a public school.

"SEC. 8316. DEFINITIONS.

"For purposes of this part:

"(1) The term 'assessment system' means a system for measuring the abilities and academic achievement of students that is based upon a set of curricular frameworks and expected outcomes.

"(2) The term 'curricular framework' means a description, in a particular subject area, of the knowledge and skills children should acquire.

"(3) The term 'outlying area' means the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until such time as the Compact of Free Association is ratified).

"SEC. 8317. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated $800,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 2001.

"PART C—FLEXIBILITY DEMONSTRATION PROGRAM

"SEC. 8401. SHORT TITLE.

"This part may be cited as the 'Flexibility for Educational Effectiveness Act of 1992'.

"SEC. 8402. FINDINGS AND PURPOSES.

"(a) FINDINGS.—The Congress finds that—

"(1) historically, Federal education programs have addressed the Nation's most pressing educational problems by providing categorical assistance with various requirements relating to the use of funds;

"(2) while the approach described in paragraph (1) has proven generally successful, some program requirements may inadvertently impede educational achievement;

"(3) schools face increasingly diverse populations of disadvantaged students due to the influx of many immigrant children, the growth in poverty among children, and changes in the family structure;

"(4) schools are asked not only to educate such increasingly diverse student populations, but to meet disadvantaged students' needs for social, health, and nutritional services;

"(5) in an era when educational change and reform must prevail, it is more important than ever to provide programs that—

"(A) result in improved educational outcomes for disadvantaged students;

"(B) promote the coordination of education and related services that benefit children and their families;

"(C) respond flexibly to the needs of a diverse student population;

"(D) stop the proliferation of unnecessary Federal, State, and local regulation; and

"(E) place less emphasis on reviewing procedures and more emphasis on achieving program results.

"(b) PURPOSE.—It is the purpose of this part to establish a national demonstration program which—

"(1) promotes educational reform that leads to improved educational outcomes for disadvantaged students;

"(2) holds accountable the schools and other recipients of Federal funds for achieving specific educational improvement goals in exchange for increased flexibility in the use of their resources; and

"(3) enables school and program administrators, teachers, parents, local agencies, and community groups to work together to develop effective education programs that lead to improved achievement and meet the needs of disadvantaged students.

"SEC. 8501. PROGRAM AUTHORIZED.

"(a) STATES.—

"(1) WAIVERS AUTHORIZED.—Except as provided in subsection (c) and section 8409, the Secretary is authorized to waive statutory or regulatory requirements in accordance with the provisions of this part for not more than 10 States which have implemented comprehensive regulatory reform plans involving not more than 20 local educational agencies and 75 schools in each such State in order to enable such States to conduct demonstration projects to find more flexible ways to provide education and other services to disadvantaged students.

"(2) LIMITATION.—The Secretary shall only waive statutory or regulatory requirements if the Secretary determines that such requirements may impede the ability of a school or other service provider to—

"(A) provide education and other services to disadvantaged students; or

"(B) meet the special needs of such students and other individuals in the most effective manner possible.

"(b) OTHER FEDERAL AGENCIES.—

"(1) WAIVERS.—The head of any other Federal agency who has entered into an agreement with the Secretary pursuant to paragraph (2) is similarly authorized to waive only regulatory requirements applicable to an elementary, secondary, or youth vocational training program administered by such agency if the agency head and the Secretary agree that such a waiver would provide more flexible ways to provide education and other services to disadvantaged students.

"(2) AGREEMENT.—For the purpose of considering requests for waivers under this part regarding requirements related to programs administered by other Federal agencies, the Secretary shall enter into written agreements with the heads of such agencies which describe the process to be used to consider such requests.

"(c) STATE AND LOCAL EDUCATIONAL AGENCY APPLICATION TRANSMITTAL.—The Secretary or the head of any other Federal agency shall only waive the statutory or regulatory requirements in accordance with the provisions of this part after receiving applications from a State educational agency in accordance with subsections (a) and (b) of section 8408.

"(d) APPROVAL OF PROJECTS.—

"(1) IN GENERAL.—The Secretary shall approve applications from States which have implemented, or will implement prior to applying to the Secretary under section 8408, comprehensive regulatory reform demonstration projects under this section that

the Secretary determines show substantial promise of achieving the purposes of this section, after considering—

"(A) the comprehensiveness of the project, including the types of students, schools, programs, and activities to be included;

"(B) the extent to which the provisions for which waivers are sought impede educational improvement;

"(C) the State and local requirements that will be waived for the project;

"(D) the significance and feasibility of the proposed project's goals for each participating school or site; and

"(E) the quality of the plan for ensuring accountability for the proposed plan's activities and goals.

"(2) CONSULTATION.—The Secretary shall consult with the heads of other appropriate Federal agencies, if any, in determining whether to approve a project. Each such agency head shall notify the Secretary of any waivers granted by such agency head as part of such project.

"(3) DISTRIBUTION OF PROJECTS.—The Secretary shall ensure that, to the extent feasible, projects assisted under this section are geographically distributed, and equitably distributed among urban, suburban, and rural areas, as well as large and small schools.

"(e) TERRITORIES.—

"(1) IN GENERAL.—Notwithstanding the definition of 'State' contained in section 1471(22), the Secretary is authorized to consider an application from each of the territories of the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until such time as the Compact of Free Association is ratified) and to waive certain requirements in not more than four schools for each of such territories.

"(2) SPECIAL RULE.—The requirements of subsection (a)(1) regarding the number of States and schools that may be approved for waivers shall not include the entities described in paragraph (1).

"SEC. 5004. FEDERAL WAIVERS OF GENERAL REQUIREMENTS.

"A State educational agency may request waivers of Federal statutory or regulatory requirements relating to the uses of funds for programs serving disadvantaged students to allow funds to be combined to better serve disadvantaged students in the regular classroom.

"(1) PRESCHOOL PROGRAMS.—In the case of preschool programs serving disadvantaged students, such programs shall include chapter 1 and may include—

"(A) the Head Start Act (only for requirements related to age, family income, length of day, and restrictions on reimbursement);

"(B) the Even Start Act; and

"(C) the Child Care Quality Improvement Act.

"(2) ELEMENTARY SCHOOL.—In the case of programs serving disadvantaged students at the elementary school level, such programs shall include chapter 1 and may include—

"(A) chapter 2 of title I of this Act;

"(B) the Jacob K. Javits Gifted and Talented Students Education Act of 1988;

"(C) the Drug Free Schools and Communities Act of 1986;

"(D) the Head Start Transition Project Act;

"(E) the Follow Through Act;

"(F) the Emergency Immigrant Education Act of 1984; and

"(G) the Dwight D. Eisenhower Mathematics and Science Education Act.

"(3) SECONDARY SCHOOL.—In the case of programs serving disadvantaged students at the secondary school level, such programs shall include chapter 1 and may include—

"(A) the Carl D. Perkins Vocational and Applied Technology Education Act;

"(B) the Job Training Partnership Act;

"(C) chapter 2 of title I of this Act;

"(D) the Drug Free Schools and Communities Act of 1986;

"(E) the Emergency Immigrant Education Act of 1984; and

"(F) the Dwight D. Eisenhower Mathematics and Science Education Act.

"SEC. 9605. FEDERAL WAIVERS OF REQUIREMENTS FOR SOCIAL, HEALTH, AND NUTRITION PROGRAMS.

"A State educational agency may request waivers of Federal statutory or regulatory requirements relating to the operation of programs designed to improve the social, health, and nutritional condition of disadvantaged children. Requests may include waivers for—

"(1) the Nutrition Education and Training Program under the Child Nutrition Act of 1966;

"(2) Programs for Improvement of Comprehensive School Health Education under the Secretary's Fund for Innovation described in section 4605 of this Act;

"(3) the Alcohol and Drug Abuse Education Act; and

"(4) the Drug Free Schools and Communities Act of 1986.

"SEC. 9606. FEDERAL WAIVERS OF REQUIREMENTS FOR NATIONAL SCHOOL LUNCH AND CHILD NUTRITION PROGRAMS.

"The State educational agency may request waivers of Federal statutory or regulatory requirements relating to the operation of the school lunch and school breakfast programs authorized under the National School Lunch Act and the Child Nutrition Act of 1966 in order to promote more efficient operation of such programs.

"SEC. 9607. ELIGIBILITY.

"(a) STATE ELIGIBILITY.—To be eligible to participate in a demonstration project under this part, a State educational agency shall have, or make a concerted attempt to develop, coordinated service agreements with other agencies of the State that administer social services, health, mental health, and substance abuse prevention and treatment programs. Such agreements shall include descriptions of the manner in which such services for disadvantaged students are coordinated at the State level.

"(b) LOCAL ELIGIBILITY.—To be eligible to participate in a demonstration project under this part, a local educational agency shall—

"(1) develop an application in accordance with section 8408; and

"(2) have, or make a concerted attempt to develop, coordinated service agreements with other local agencies and organizations to better coordinate the provision of education, social services, health, mental health, and substance abuse prevention and treatment programs to disadvantaged students. Such services shall be available at a location convenient for such students and their families.

"SEC. 8409. APPLICATIONS.

"(a) GENERAL LOCAL REQUIREMENTS.—

"(1) GENERAL RULE.—A local educational agency that desires to participate in a demonstration project that waives certain State and Federal requirements to improve the delivery of services to disadvantaged children shall submit an application to the State educational agency for approval. The State educational agency shall transmit such approved applications to the Secretary.

"(2) CONTENTS.—Each application described in paragraph (1) shall—

"(A) identify each school that desires waivers of Federal and State requirements and describe how such requirements impede improved educational outcomes;

"(B) specifically identify each Federal and State statutory and regulatory requirement to be waived, the purpose of the waiver, and how the waiver will facilitate the achievement of the purpose of the program for which the waiver is requested;

"(C) describe how program funds shall be combined with chapter 1 funds, other than nutrition funds, to provide more effective services in the regular classroom for disadvantaged students;

"(D) describe how the combining of funds shall—

"(i) allow each school that desires a waiver to provide services to disadvantaged students with a more comprehensive, less fragmented approach;

"(ii) allow each school that desires a waiver to better meet the educational needs of disadvantaged students; and

"(iii) allow each school that desires a waiver to allocate resources more effectively;

"(E) describe the State and local requirements that will be waived, the purpose of such waivers, and, if such requirements will not have been waived before the project begins, when those waivers will be obtained and take effect;

"(F) describe the specific educational improvement goals for each school that desires a waiver, including—

"(i) goals to substantially improve the performance of disadvantaged students on indicators of student

progress that are tied to State and national education goals and which reflect public input;

"(ii) goals that reflect the broad purposes of each program for which the waiver is sought; and

"(iii) an explanation of how the local educational agency shall evaluate the progress of each school that desires a waiver in meeting its educational improvement goals;

"(G) describe the population of disadvantaged students at each school that desires a waiver, the academic and other needs of such students, and how the needs of such students shall be addressed by the demonstration project;

"(H) describe how school administrators, teachers, staff, and parents shall be involved in the planning, development, and implementation of the goals for each school that desires a waiver; and

"(I) contain an assurance that the local educational agency shall report annually to the State educational agency on the progress of each participating school in meeting the goals described in the application.

"(3) LOCAL REQUIREMENTS FOR OTHER PROGRAMS.—

"(A) LOCAL REQUEST FOR SOCIAL, HEALTH, AND NUTRITION PROGRAM WAIVERS.—A local educational agency that desires to receive waivers of statutory or regulatory requirements to improve the social, health, and nutritional services to disadvantaged students shall submit an application to the State educational agency that—

"(i) includes a description of the impediments to providing effective social, health, and nutritional services to disadvantaged children;

"(ii) identifies the Federal and State statutory or regulatory requirements to be waived;

"(iii) describes the service goals to be achieved; and

"(iv) assures that the local educational agency shall report annually to the State educational agency on the progress of the school in meeting the goals described in the application.

"(B) LOCAL REQUEST OF SCHOOL AND CHILD NUTRITION PROGRAM WAIVERS.—A local educational agency that desires to receive waivers of regulatory requirements relating to the operation of school lunch and school breakfast programs shall submit an application to the State educational agency that—

"(i) includes a description of the impediments to the efficient operation and administration of the school lunch or school breakfast program;

"(ii) identifies the Federal statutory requirements to be waived;

"(iii) describes the management goals to be achieved, such as fewer hours spent on or fewer personnel dedicated to the administration of such programs; and

"(iv) assures that the local educational agency shall report annually to the State educational agency

on the progress of a school in meeting the goals described in the application.

"(C) SINGLE APPLICATION.—The Secretary shall encourage local educational agencies to submit a single application for waivers under sections 8404, 8405, and 8406.

"(b) GENERAL STATE REQUIREMENTS.—A State educational agency that desires to request waivers of statutory requirements or regulations shall submit an application to the Secretary that includes the following:

"(1) SCHOOL SELECTION.—The names of the local educational agencies and the schools in such State selected to participate in a demonstration project.

"(2) REQUIREMENT WAIVERS.—For each local educational agency described in paragraph (1), the identification of the statutory or regulatory requirements that are requested to be waived and the goals that the local educational agency intends to achieve.

"(3) STATE ACTION.—A description of the action that the State has undertaken to remove State statutory or regulatory barriers identified in the applications of the local educational agencies.

"(4) PROGRAM COMBINATION.—A description of the extent to which the State has combined State programs for educating disadvantaged students and State social, health, mental health, and substance abuse programs with similar Federal programs, including the administration of such programs.

"(5) MONITORING PROCESS.—An assurance that the State educational agency shall monitor the progress of the schools in meeting the goals outlined in the application and that such agency shall report annually on such progress to the Secretary.

"(6) APPROPRIATE APPROVAL.—If a local educational agency has requested a waiver of a Federal or State statutory or regulatory requirement that is not within the jurisdiction of the State educational agency, the written approval of the appropriate State official responsible for such requirement.

"(c) PRIORITIES.—

"(1) LOCAL PRIORITY.—The State educational agency shall give priority consideration to the selection of local educational agencies with schools serving large numbers or percentages of students eligible to receive a free or reduced price meal, and schools that are—

"(A) participating in schoolwide projects under chapter 1;

"(B) recipients of multiple Federal educational programs serving disadvantaged students; and

"(C) combining Federal and State social, health, mental health, and substance abuse services with Federal and State education programs affected by this part.

"(2) STATE PRIORITY.—The Secretary shall give priority consideration to an application of a State that—

"(A) demonstrates that actions have been taken to waive State statutory or regulatory requirements in programs similar to the Federal programs for which the waivers are sought; and

"(B) demonstrates (and provides evidence of authority) that the State has or intends to coordinate and combine the administration of similar Federal and State education programs affected by this part and also to coordinate such programs with social, health, mental health, and substance abuse programs.

"SEC. 9409. RESTRICTIONS ON WAIVERS.

"(a) IN GENERAL.—

"(1) PARTICIPATION REQUIREMENT.—A local educational agency may request waivers only for those programs in which such agency participates.

"(2) CONSTRUCTION.—Nothing in this part shall be construed:

"(A) CIVIL RIGHTS AND DISCRIMINATION.—To authorize any changes in, substitutions for, or lessening of, the mandates and protections of Federal laws and regulations regarding civil rights (under title VI of the Civil Rights Act of 1964), discrimination (under title IX of the Education Amendments of 1972, or section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, title II of the Americans with Disabilities Act of 1990, or the Individuals with Disabilities Education Act), and safety, and the procedural safeguards contained in such provisions.

"(B) USAGE OF FUNDS.—To affect regulations and prohibitions concerning the diversion of Federal funds for private use.

"(C) GENERAL REQUIREMENTS.—To absolve any State, local educational agency or school from—

"(i) maintenance of effort or comparability of services requirements under any program;

"(ii) requirements that Federal funds supplement, not supplant non-Federal funds;

"(iii) requirements to provide for the equitable participation of private school students;

"(iv) requirements under sections 438 and 439 of the General Education Provisions Act; or

"(v) requirements relating to parental participation.

"(D) FUND DISTRIBUTION.—(i) To alter the distribution of funds to schools within the local educational agency.

"(ii) To change the way funds are utilized within schools for programs not included in the waiver.

"(b) RESTRICTIONS OF SCHOOL LUNCH AND CHILD NUTRITION PROGRAMS.—Nothing in this part shall be construed:

"(1) DISCLOSURE OF INFORMATION.—To lessen the mandates regarding the prohibition on the disclosure of information regarding students receiving free or reduced price meals.

"(2) PRICE LIMITATION.—To allow eligible schools to charge more than the statutory price limit for a reduced price meal.

"(3) MEAL COSTS.—To lessen the mandates regarding the requirements for serving free or reduced price meals to eligible students.

"(4) REIMBURSEMENT.—To allow schools to receive a reimbursement at an amount greater than the number or proportion of students eligible for free, reduced price, or paid meals.

"(5) PROHIBITION.—To lessen the requirements regarding the prohibition on operating a profit-producing program.

"(6) SALE.—To lessen the requirements regarding the sale of competitive foods.

"(7) NUTRITION.—To lessen the mandates regarding the nutritional content of the meals served.

"(c) SPECIAL RULE.—Any reporting requirements required by programs affected by sections 8404, 8405, and 8406 shall be waived and considered satisfied by the reporting requirements in this part.

"SEC. 8410. TERMINATION OF WAIVER AUTHORITY.

"(a) EARLY TERMINATION.—A waiver granted under this part shall be terminated when the following occurs:

"(1) PROGRESS.—A recipient of a waiver has not demonstrated adequate progress toward meeting the goals outlined in the application of the local educational agency.

"(2) VIOLATION.—When a State or school has been found in violation of any restriction on the waiver authority.

"(b) FINAL TERMINATION.—The authority of the Secretary to grant waivers shall expire on September 30, 1997.

"(c) DECLINE PARTICIPATION.—A school, at any time, may decline to participate in a project assisted under this part.

"SEC. 8411. REPORTING REQUIREMENTS.

"(a) REPORTS AND EVALUATIONS.—

"(1) PROJECT REPORTS.—Each State educational agency that is selected for a demonstration project under this part shall submit, not later than 90 days after the end of each year of the project, an annual report to the Secretary that—

"(A) summarizes the principal activities of the project;

"(B) contains school-by-school and other data, as described in the project plan, that show the extent to which the project is meeting its overall goals, including its goals for improving the performance of disadvantaged students, with respect to student performance in basic and advanced skills, and is meeting the goals for each school or other site;

"(C) describes the impact of the project on disadvantaged children in schools, if any, that are not participating in the demonstration; and

"(D) describes the effectiveness of efforts to coordinate programs and services for children and their families, as appropriate, including specific steps taken to—

"(i) expand or restrict eligibility for services or programs; and

"(ii) integrate services from other systems (such as mental health, nutrition, social services, and substance abuse prevention and treatment).

"(b) SECRETARIAL REQUIREMENT.—The Secretary shall report annually to the Committee on Education and Labor in the House of Representatives and the Committee on Labor and Human Resources of the Senate, and the Committee on Agriculture, Nutrition, and Forestry of the Senate, on the progress in each of the schools partici-

pating in a demonstration project in meeting the goals in the application of the local educational agency.

"SEC. 8412. EVALUATION.

"(a) NATIONAL ACADEMY OF EDUCATION.—The Secretary shall contract with the National Academy of Education to conduct an evaluation of the demonstration projects under this part to determine the following:

"(1) STATE REPORTING REQUIREMENTS.—The accuracy of the information required under section 8411.

"(2) ACHIEVEMENT AND EFFICIENCY.—The effectiveness of raising educational achievement levels of disadvantaged students and improving the general efficiency of program operations at each school participating in a demonstration project.

"(3) COORDINATED SERVICE AGREEMENTS.—The effectiveness of the coordinated service agreements at the State and local levels in the delivery of comprehensive services to disadvantaged children.

"(b) SUBMISSION DEADLINE.—Such evaluation shall be submitted by the National Academy of Education to the Committee on Education and Labor of the House of Representatives, the Committee on Labor and Human Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate not later than January 1, 1999.

"SEC. 8413. DEFINITIONS.

"For purposes of this part:

"(1) The term 'chapter 1' means chapter 1 of title I of this Act.

"(2) The terms 'disadvantaged children' and 'disadvantaged students' mean children, ages 3 to 17 years, who are eligible for services under chapter 1, the Head Start Act, the National School Lunch Act, the Follow Through Act, or the Emergency Immigrant Education Act.

"SEC. 8414. BUDGET NEUTRALITY.

"The authority provided by this part shall not be exercised in a manner that, for any fiscal year, increases total obligations or outlays of discretionary appropriations for programs subject to such authority, or that increases total obligations or outlays of funding for all direct-spending programs subject to such authority over those that would have occurred absent such authority.

"SEC. 8415. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated $1,000,000 for fiscal year 1997, which shall remain available until expended, to carry out section 8412.".

(b) EFFECTIVE DATE REGARDING GOALS PANEL ATTENDANCE.—The provisions of section 810(e) of the Elementary and Secondary Education Act of 1965 (as added by subsection (a)(2)) shall take effect on January 1, 1993.

TITLE III—AMENDMENTS TO THE GENERAL EDUCATION PROVISIONS ACT

SEC. 301. NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.

(a) IN GENERAL.—Section 406 of the General Education Provisions Act (20 U.S.C. 1221e–1) is amended—

(1) in paragraph (1) of subsection (f), by striking "and 1993" and inserting "1993, and 1994";

(2) in subsection (g), by amending paragraph (1) to read as follows:

"(1)(A) In addition to its other responsibilities, the Center shall collect and report uniform data from the States and, through the States, each individual local educational agency, on the financing of elementary and secondary education. These data shall be collected on a biennial basis, with the first report due by September 30, 1994. This data collection shall be coordinated with any other State and local educational agency level surveys of population or education finance, such as those conducted by the Bureau of the Census. Such data shall include, to the extent possible—

"(i) sources of revenues, identified by the level of government and types in the case of taxes;

"(ii) a uniform categorization of expenditures per pupil, including total current expenditures, core instructional expenditures, administrative expenditures, and other operations and maintenance expenditures;

"(iii) revenues per pupil for selected Federal programs including chapters 1 and 2 of title I of the Elementary and Secondary Education Act of 1965, the Child Nutrition Act of 1966, the Individuals with Disabilities Education Act, the Drug-Free Schools and Communities Act of 1986, the Dwight D. Eisenhower Mathematics and Science Education Act, Public Laws 81–815 and 81–874 (Impact Aid), the Bilingual Education Act, the Head Start Act, the Indian Education Act, and other Federal programs;

"(iv) pupil enrollment, including average daily attendance and average daily membership;

"(v) demographic information regarding the local educational agency from the most recent decennial census, mapped to local educational agencies;

"(vi) the nature and responsibilities of each local educational agency, including grades served, whether the local educational agency directly provides regular elementary and secondary education services or is limited to special service areas (such as vocational education, education of the disabled, etc.), and whether the local educational agency directly operates schools; and

"(vii) for each State, a description of the State's school finance programs, including their purpose, eligibility criteria, restrictions on local uses of funds, formulas, revenue sources, and aggregate funding level.

"(B) Each State receiving funds under the Elementary and Secondary Education Act of 1965 shall cooperate with the Center in the collection of data under this paragraph.

"(C) The Center shall attempt to develop, from a nationally representative sample of the Nation's local educational agencies, the following information:

"(i) An experimental measure of local educational agency wealth.

"(ii) An experimental measure of local educational agency fiscal capacity.

"(iii) An experimental measure estimating the costs of providing elementary and secondary education services.

"(iv) An experimental measure of the age and condition of facilities."; and

(3) in subparagraph (C) of subsection (i)(2)—

(A) by redesignating clauses (iii), (iv), and (v) as clauses (iv), (v), and (vi), respectively;

(B) by inserting after clause (ii) the following:

"(iii) The National Assessment shall—

"(I) conduct, in 1994, a trial mathematics assessment for the 4th and 8th grades and a trial reading assessment for the 4th grade, in States that wish to participate, for the purpose of determining whether such assessments yield valid and reliable State representative data;

"(II) develop a trial mathematics assessment for the 12th grade, a trial reading assessment for the 8th and 12th grades, and a trial science assessment for the 4th, 8th, and 12th grades, to be administered in 1994 in States that wish to participate, for the purpose of determining whether such assessments yield valid and reliable State representative data; and

"(III) include in each such sample assessment referred to in subclauses (I) and (II) students in public and private schools in a manner that ensures comparability with the national sample."; and

(C) in clause (vi) (as redesignated by subparagraph (A) of this paragraph)—

(i) in the first sentence, by striking "and the fairness and accuracy of the data they produce" and inserting ", the fairness and accuracy of the data they produce, and important issues affecting the quality and integrity of the National Assessment"; and

(ii) by striking "paragraph (C)(i) and (ii)" and inserting "clauses (i), (ii), and (iii)".

(b) CONFORMING AMENDMENT.—Subparagraph (D) of section 405(f)(1) of the General Education Provisions Act (20 U.S.C. 1221e(f)(1)) is amended by striking "1993" and inserting "1994".

(c) ADDITIONAL REPORT.—The Secretary shall provide for the organization that conducts the independent evaluation required by section 406(i)(2)(C)(vi) of the General Education Provisions Act to study and report to the Congress on—

(1) the process whereby achievement goals are set pursuant to section 406(i)(6) of such Act; and

(2) the ability of the National Assessment of Educational Progress to maintain valid data with respect to trends in student performance.

SEC. 302. RESPONSIBILITY OF STATES TO FURNISH INFORMATION CONCERNING USES OF FEDERAL FUNDS.

Section 406A of the General Education Provisions Act (20 U.S.C. 1232f) is amended to read as follows:

"RESPONSIBILITY OF STATES TO FURNISH INFORMATION

"SEC. 406A. (a) Each State educational agency shall submit to the Secretary a report on or before March 15 of every second year. Each such report shall include—

"(1) information with respect to the uses of Federal funds in such State in the 2 preceding fiscal years under any applicable program under the jurisdiction of the State educational agency; and

"(2) information with respect to the uses of Federal funds in such State in the 2 preceding fiscal years under any Federal program administered by the State that provided grants or contracts to a local educational agency in the State.

"(b) Each report submitted as required by subsection (a) shall—

"(1) list, with respect to each program for which information is provided, all grants made to and contracts entered into with local educational agencies and other public and private agencies and institutions within the State during each fiscal year concerned;

"(2) analyze the information included in the report by local educational agency and by program;

"(3) include the total amount of funds available to the State under each such program for each fiscal year concerned and specify which appropriation Act or Acts made such funds available;

"(4) separately account for any funds carried over from a preceding fiscal year by any State or local educational agency; and

"(5) be made readily available by the State to local educational agencies and institutions within the State and to the public.

"(c) If the Secretary does not receive a report by the date required under subsection (a), or receives an incomplete report, the Secretary, not later than 30 days after such report is required to be submitted, shall take all reasonable measures to obtain the delinquent or incomplete information from the State educational agency.

"(d) When the Secretary receives a report required under subsection (a), the Secretary shall provide such information to the National Center for Education Statistics, and shall make such information available to any individual who requests it.

"(e) The Secretary shall consult with the Speaker and Minority Leader of the House of Representatives and the Majority and Minority Leader of the Senate regarding the costs and feasibility of making the information described in subsection (a) available as part of a telecommunications network that is readily accessible to every member of Congress and other interested parties.

"(f) On or before August 15th of each year in which reports are submitted under subsection (a), the Secretary shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate. Such report shall include—

"(1) an analysis of the content and data quality of such reports;

"(2) a compilation of statistical data derived from such reports; and

"(3) information obtained by the Secretary with respect to—

"(A) direct grants made to local educational agencies by the Federal Government; and

"(B) contracts entered into between such agencies and the Federal Government.".

TITLE IV—AMENDMENTS TO THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT

SEC. 401. ASSESSMENT OF EDUCATIONAL PROGRESS ACTIVITIES.

Section 421(h) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2421(h)) is amended—

(1) by inserting "(1)" after "(h)"; and

(2) by inserting at the end the following:

"(2)(A) Notwithstanding any provision of section 406 of the General Education Provisions Act, the Commissioner of Education Statistics may authorize a State educational agency or a consortium of such agencies to use items and data from the National Assessment of Educational Progress for the purpose of evaluating a course of study related to vocational education, if the Commissioner has determined, in writing, that such use will not—

"(i) result in the identification of characteristics or performance of individual students or schools;

"(ii) result in the ranking or comparing of schools or local educational agencies;

"(iii) be used to evaluate the performance of teachers, principals, or other local educaiors for the purpose of dispensing rewards or punishments; or

"(iv) corrupt or harm the use and value of data collected for the National Assessment of Educational Progress.

"(B) Not later than 60 days after making an authorization under subsection (a), the Commissioner shall submit to the Committee on Education and Labor of the House of Representatives and to the Committee on Labor and Human Resources of the Senate, a report which contains—

"(i) a copy of the request for such authorization;

"(ii) a copy of the written determination under subsection (a); and

"(iii) a description of the details and duration of such authorization.

"(C) The Commissioner may not grant more than one such authorization in any fiscal year and shall ensure that the authorized

use of items or data from the National Assessment is evaluated for technical merit and for its affect on the National Assessment of Educational Progress. The results of such evaluations shall be promptly reported to the committees specified in subparagraph (B).".

SEC. 402. NATIONAL OCCUPATIONAL INFORMATION COORDINATING COMMITTEE.

Section 422 of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2422) is amended—

(1) in paragraph (2) of subsection (a), by inserting ", including postsecondary employment and training programs," after "training programs";

(2) in subsection (b)—

(A) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(B) in the matter preceding paragraph (1) (as redesignated in subparagraph (A)), by inserting "the State board or agency governing higher education" after "coordinating council,"; and

(C) in paragraph (1) (as redesignated in subparagraph (A))—

(i) by striking "Act and of" and inserting "Act, of"; and

(ii) by inserting "and of the State board or agency governing higher education" after "Job Training Partnership Act";

(3) by redesignating subsection (d) as subsection (e); and

(4) by inserting after subsection (c) the following new subsection:

"(d) DATA COLLECTION SYSTEM.—In the development and design of a system to provide data on graduation or completion rates, job placement rates from occupationally specific programs, and licensing rates, each State board for higher education shall develop a data collection system whose results can be integrated into the occupational information system developed under this section.".

TITLE V—AMENDMENT TO THE DWIGHT D. EISENHOWER MATHEMATICS AND SCIENCE EDUCATION ACT

SEC. 501. EISENHOWER NATIONAL PROGRAMS.

Section 2012 of the Dwight D. Eisenhower Mathematics and Science Education Act (20 U.S.C. 2992) is amended by adding at the end the following:

"(g) MODEL ASSESSMENTS FOR MATHEMATICS AND SCIENCE STANDARDS.—

"(1) GRANTS.—The Secretary, with funds appropriated to carry out this section and in consultation with the National Education Goals Panel and the National Education Standards and Assessments Council established under title VIII of the Elementary and Secondary Education Act of 1965, is authorized to make grants to State educational agencies, local educational agencies, institutions of higher education, organizations with

expertise in assessments, or a combination of such agencies or organizations, to support the development of model assessments tied to mathematics standards and to any science standards that may be developed. Such grants shall be consistent with the criteria developed by the National Education Standards and Assessments Council.

"(2) NATIONAL STANDARDS AND ASSESSMENTS COUNCIL.—The National Standards and Assessments Council shall develop criteria for the development of different types of model assessments tied to the voluntary national content standards in mathematics and science, including—

"(A) prescribing the intended uses of the model assessments;

"(B) ensuring that the model assessments are valid, reliable, and fair, without racial or gender bias, for their intended uses; and

"(C) ensuring that the model assessments are consistent with the national voluntary content standards in mathematics and science.".

TITLE VI—MISCELLANEOUS PRCVISIONS

SEC. 601. VALUES IN SCHOOL STUDY.

(a) COMMISSION ESTABLISHED.—The Secretary of Education may establish a commission to analyze possible ways to teach values in elementary and secondary schools. Such commission may—

(1) examine the issues associated with the teaching of values in elementary and secondary schools and to stimulate research in ethics and values;

(2) recommend ways to promote the teaching of values in American schools, including encouraging the offering of independent courses on values, and the integration of values into existing courses;

(3) explore, assess, and stimulate a variety of approaches to teaching values; and

(4) identify those basic civic and character values that are essential to preparation as productive members of society.

(b) REPORT.—The commission shall prepare and submit to the appropriate committees of the Congress a report on the items described in subsection (a) not later than 18 months after the first meeting of the commission.

SEC. 602. PARENTS AS TEACHERS REVIEW.

(a) REVIEW.—

(1) IN GENERAL.—The Secretary of Education shall provide for the conduct of an independent review of evaluations completed before the date of enactment of this Act of the program known as "Parents As Teachers" to analyze the impact and effectiveness of the program in States and local communities that have implemented the program. Such review, at a minimum, shall determine whether such program—

(A) increases parents' knowledge of and confidence in child-rearing activities such as teaching and nurturing their children;

(B) strengthens the partnership between parents and schools; and

(C) enhances the developmental progress of participating children.

(2) APPLICABILITY.—The review described in paragraph (1) shall also ascertain whether such program is a desirable model for Federal policy.

(b) SUBMISSION.—The review described in subsection (a) shall be submitted to the appropriate committees of the Congress not later than 6 months after the date of enactment of this Act.

SEC. 693. BUY AMERICAN.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that a recipient (including a nation, individual, group, or organization) or any form of student assistance or other Federal assistance under this Act, in expanding that assistance, should purchase American-made equipment and products.

(b) NOTICE.—The Secretary of Education shall provide to each recipient of student assistance or other Federal assistance under the Act a notice describing the sense of the Congress stated in subsection (a).

SEC. 694. ASSESSMENT STUDY.

The Director of the Office of Technology Assessment shall conduct a study that evaluates—

(1) the appropriate and inappropriate uses of a system of educational assessment;

(2) the protections that need to be included in a system of educational assessment to ensure that students are not treated unfairly and results of scores are not misused;

(3) the cost of developing and implementing a system of educational assessment to measure progress in meeting the education goals and standards;

(4) how a system of educational assessment can measure student achievement when State and local governments make curricular decisions; and

(5) the amount of time necessary to develop and implement a fair, reasonable, and valid system of educational assessment.

SEC. 695. REPORT AND AUTHORIZATION EXTENSIONS.

Section 102 of Public Law 102-62 is amended—

(1) in subsection (d) by striking "2" and inserting "3"; and

(2) in subsection (h)—

(A) by striking "1991" and all that follows through "and 1993"; and

(B) by inserting "1992 through 1995".

SEC. 696. DEFINITIONS.

For the purpose of this title—

(1) the term "elementary school" has the same meaning given to such term by section 1471(8) of the Elementary and Secondary Education Act of 1965; and

(2) the term "secondary school" has the same meaning given to such term by section 1471(21) of the Elementary and Secondary Education Act of 1965.

And the House agree to the same.

WILLIAM D. FORD,
GEORGE MILLER,
DALE E. KILDEE,
PAT WILLIAMS,
MATTHEW G. MARTINEZ,
MAJOR R. OWENS,
CHARLES A. HAYES,
CARL C. PERKINS,
THOMAS C. SAWYER,
NITA M. LOWEY,
JOLENE UNSOELD,
PATSY T. MINK,
WILLIAM J. JEFFERSON,
JACK REED,
JOHN W. OLVER,
ED PASTOR,
Managers on the Part of the House.

EDWARD M. KENNEDY,
CLAIBORNE PELL,
HOWARD M. METZENBAUM,
CHRISTOPHER J. DODD,
PAUL SIMON,
BARBARA A. MIKULSKI,
JEFF BINGAMAN,
PAUL WELLSTONE,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2 to promote comprehensive education reform submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

TABLE OF CONTENTS

Table of Contents: The Senate bill, but not the House amendment, provides a table of contents for the legislation. The House recedes.

FINDINGS AND PURPOSE

Findings and Purpose: The Senate bill, but not the House amendment, provides a series of findings and a purpose for the entire bill.

The Houses recedes with an amendment making minor wording changes.

TITLE I—NATIONAL EDUCATION GOALS

National Education Goals: The Senate bill, but not the House amendment, identifies 6 National Education Goals for the year 2000, including findings and specific steps the federal Government will take to achieve each Goal, as part of a joint effort involving federal, state, and local governments, organizations, institutions, and individuals.

The Houses recedes with an amendment making minor revisions.

TITLE II—COMPREHENSIVE RESTRUCTURING NATIONAL EDUCATION STANDARDS

SHORT TITLE

1. Short Title: This part of the Senate bill is called "National Academic Report Card Act of 1991. The corresponding part of the

House amendment is called "National Education Standards and Assessment Act of 1992.

The Senate recedes.

TECHNICAL PROVISION

2. Technical Provision: The Senate bill authorized free-standing legislation. The House amendment makes its comparable provision an amendment to the Elementary and Secondary Education Act of 1965.

The Senate recedes.

FINDINGS

3. Findings: The Senate bill and House amendment identify several findings, some of which are the same. The Senate bill, but not the House amendment, includes findings relative to a voluntary system of assessments, establishment of a National Education Goals Panel, and a national body to ensure the establishment of a voluntary system of educational standards, and assessments.

The Houses recedes with an amendment combining the findings of the Senate bill and House amendment, deleting references to assessment, and making other minor wording changes.

FINDINGS

4. Purposes: The purposes of the Senate bill focus on measuring and reporting progress toward the National Education Goals, and on establishing world-class education standards and a voluntary system of assessments. The House purposes focus on establishing voluntary national education content standards, raising academic performance throughout the Nation, supporting voluntary national school delivery standards, and supporting research on assessments to measure progress toward national education goals and standards.

The Senate recedes with an amendment combining the purposes.

NATIONAL EDUCATION GOALS PANEL

5. National Education Goals Panel: The Senate bill establishes the Panel in the U.S. Department of Education; the House amendment does not.

The Senate recedes.

PANEL MEMBERSHIP

6. Panel Membership: The House amendment, but not the Senate bill, includes four members of state legislatures (not more than two from the President's party) as members of the Panel.

The Senate recedes with an amendment limiting the term of state legislators (as well as other members of the Panel) to two years and providing that the appointment of House members to the Goals Panel be made by the Speaker of the House (instead of the Majority Leader). The conferees wish to make it clear that "Governors", "Members of Congress", and "Members of Legislatures" refer only to those currently holding office.

APPOINTMENT

7. Appointment Provision: The Senate bill and House amendment have nearly identical language concerning special appointment rules.

The House recedes.

ATTENDANCE REQUIREMENT

8. Attendance: The Senate bill, but not House amendment, requires a Panel member to attend at least 2/3rds of the Panel's scheduled meetings annually in order to remain a member.

The House recedes with an amendment making this provision effective January 1, 1993.

AUTHORIZATION OF APPROPRIATIONS

9. Authorization of Appropriations: The Senate bill authorizes $2 million annually for the Panel for fiscal years 1992 through 1994, and such sums as may be necessary for each succeeding fiscal year. The House amendment authorizes $2 million annually for the Panel for fiscal year 1993 through fiscal year 1996.

The Senate recedes.

PANEL FUNCTIONS

10. Panel Functions: The Senate bill and House amendment identify various functions for the Panel. Senate bill contains more extensive provisions related to measuring and reporting progress toward the National Education Goals and what kinds of standards are to be certified. Additionally, the Senate bill, but not the House amendment, provides that the Panel shall appoint members of the National Education Standards and Assessments Council. The House amendment contains more extensive provisions related to the establishment, ratification, and certification of voluntary national content standards; it also, unlike the Senate bill, authorizes the development, ratification, and certification of voluntary national school delivery standards, and places a restriction on the reporting of data from the National Assessment of Educational Progress using the achievement goals developed by the National Assessment Governing Board.

The Senate recedes with an amendment, providing that the report card make recommendations regarding the methods and procedures of assessing educational attainment, and that the Panel appoints the members of the National Education Standards and Assessment Council (NESAC).

SPECIAL RULE

11. Special Rule: The Senate bill provides a special rule in the event that the Panel denies a certification of standards approved by NESAC. There is no comparable House provision.

The House recedes with an amendment providing that the Panel can neither deny certification of a part of a set of standards, nor can it amend a set of standards.

GIFT AUTHORITY

12. Gift authority: The Senate bill, but not the House amendment, has a provision permitting the Panel to accept gifts.

The Senate recedes.

OPEN MEETINGS

13. Open meetings: The House amendment, but not the Senate bill, provides that sections 10 and 11 of the Federal Advisory Committee Act apply to the Panel and the technical review committee.

The Senate recedes.

APPOINTMENT OF EMPLOYEES

14. Appointment of Employees: The Senate bill authorizes the chairperson to appoint staff as considered appropriate without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. The House amendment limits the chairperson to appointing only the director and 4 employees to serve as staff without regard to the provisions of title 5, and requires that any additional staff be appointed in accordance with title 5.

The Senate recedes.

AUTHORIZATION OF APPROPRIATIONS

15. Authorization of Appropriations: The House amendment, unlike the Senate bill, authorizes appropriations for four years for the development of national content standards and for two years for national school delivery standards.

The Senate recedes.

AUTHORITY FOR GRANTS OR CONTRACTS

16. Authority for Grants or Contracts: The House amendment authorizes the Secretary of Education to provide grants for operation of the Panel, and development of content standards and school delivery standards; Senate bill does not.

The Senate recedes with an amendment rewording the language on school delivery standards.

STANDARDS PROCESS

17. Standards Process: House amendment requires the Panel to establish a process for the development of content standards, and recommend to the Secretary the groups and organizations to be funded for the development of these standards. Each developing organization is to ratify that its set of content standards reflects the knowledge and skills students should acquire in the particular academic subject area and that the standards are challenging enough to ensure world-class levels of instruction. The Panel, in consultation with the technical review committee, is to certify that those standards are developed in conformance with the development process established by the Panel. Senate bill has no comparable provisions.

The Senate recedes with an amendment that the Panel is to base its recommendations regarding groups to be funded on the recommendations of the National Education Standards and Assessment Council, and deleting other provisions dealing with grant denials and the time and condition of grants.

NATIONAL CONTENT STANDARDS

18. National Content Standards: The House amendment, but not the Senate bill, requires (i) the Panel to establish a process for the development of content standards, (ii) the Panel to make recommendations to the Secretary regarding the groups and organizations to be funded, (iii) ratification of the standards by the developing groups and organizations, and (iv) certification of the standards by the Panel.

The Senate recedes with an amendment providing for the certification of national content standards by the Panel (based upon the recommendation of the National Education Standards and Assessment Council) and stipulates that the Panel must approve or deny each set of standards in its entirety and may not amend a set of standards in any way. The conference agreement authorizes the Secretary to make grants to develop additional content standards. In this regard and in view of the growing importance of U.S. involvement in the world economy and the increasing need for foreign language competencies, the conferees urge that the Secretary to promptly provide for the development foreign language standards.

NATIONAL SCHOOL DELIVERY STANDARDS

19. National School Delivery Standards: The House amendment requires the Panel to establish a process for the development of voluntary school delivery standards, and recommend to the Secretary a consortium of individuals and organizations to receive funding. The consortium is to ratify that the standards are sufficiently generic not to restrict unduly state and local prerogatives regarding instructional methods, and that the standards would ensure each student a fair opportunity of achieving the knowledge and skills in the content standards. The Panel, in consultation with NESAC, is to certify the standards. The Senate bill has no comparable provisions.

The Senate recedes with an amendment making minor wording changes. The conferees wish to clarify that the language of the agreement is intended to authorize the Secretary, at his discretion, to make more than grant for the development of school delivery standards by a consortium or consortia.

CONTINUED REVIEW

20. Continued Review: The House amendment, but not the Senate bill, requires Panel to review periodically the content standards.

The Senate recedes with an amendment providing that school delivery standards also must be periodically reviewed.

SECRETARIAL INFLUENCE

21. Secretarial Influence: The House amendment states that none of its provisions are to be interpreted to permit the Secretary to prescribe or influence the content of particular standards. The Senate bill has no comparable provision.

The Senate recedes.

ASSESSMENT RESEARCH

22. Assessment Research: The House amendment requires the Panel to make recommendations to the Secretary on research that the Office for Educational Research and Improvement should undertake on authentic assessment. The Senate bill has no comparable provision.

The Senate recedes with an amendment that directly the Panel also to make recommendations on model assessments.

EVALUATION

23. Evaluation: The House amendment requires the Secretary, through the National Academy of Sciences, to evaluate and issue reports including the following: (1) effectiveness of the school delivery standards, OERI's research on authentic assessment, and model assessment for mathematics and science content standards: (2) recommendations for additional criteria to determine validity, reliability, and fairness of assessments; and (3) the criteria needed to evaluate whether assessments are aligned to content standards and to evaluate the evidence needed concerning technical quality of assessments relative to intended uses. An interim report is to be issued no later than December 31, 1993 with a final report to be issued not later than December 31, 1994. House amendment authorizes $2 million for FL 1993 and FL 1994 for FRY activities. Senate bill has no comparable provisions.

The Senate recedes with an amendment that the assessment evaluation also include the impact of the model assessments on disabled students and students with limited English proficiency.

DEFINITIONS

24. Definitions: The House amendment defines content standards and school delivery standards. The Senate bill has no comparable provisions.

The Senate recedes with an amendment modifying the definition of school delivery standards.

NESAC

25. National Education Standards and Assessment Council: The Senate bill establishes, within the U.S. Department of Education, a National Education Standards and Assessments Council composed of 21 members—7 public officials, 7 educators, and 7 members of the general public. House amendment requires the National Education Goals Panel to establish a technical review committee of 16 members—8 educators, including persons with standards and assessment expertise, and 8 members of the public includ-

ing individuals representing parents, business, civil rights advocates, child advocates, and state and local public officials.

The House recedes with an amendment making the membership of NESAC ⅓ educators, ⅓ members of the general public, and ⅓ individuals with expertise in educational assessment, content standards, and curriculum design, reducing the membership to 15, and deleting provisions relating to the operation of the Council.

COUNCIL FUNCTIONS

26. Council Functions: Under the Senate bill, NESAC would (i) serve as a coordinating body to ensure establishment of national education standards and a voluntary system of assessments, and would establish technical guidelines and criteria related to assessments. Under the House amendment, the technical review committee would have narrower but more specific functions, primarily in the area of standards

The House recedes with an amendment altering several of the Council's functions (especially relative to assessment) and adding more specific responsibilities relative to the national content standards, national school delivery standards, and model assessments.

COUNCIL POWERS, ADMINISTRATION, AND STAFFING

27. Council Powers, Administration, and Staffing: The Senate bill, but not the House amendment, contains provisions governing the powers, administration, and staffing of the Council.

The House recedes with an amendment specifying how many employees of the Council may be hired and paid without regard to Title 5 of the U.S. Code.

AUTHORIZATION OF APPROPRIATIONS

28. Authorization of Appropriations: The Senate bill, but not the House amendment, authorizes appropriations of $2 million for fiscal years 1992 through 1994 and such sums as may be necessary for each succeeding fiscal year.

The House recedes with an amendment authorizing appropriation for fiscal years 1993 through 1996.

NEIGHBORHOOD SCHOOLS IMPROVEMENT—TECHNICAL PROVISION

1. Technical Provision: The Senate bill and the House amendment both authorize a Neighborhood Schools Improvement Act. However, the Senate proposal is a free-standing title of the bill, whereas the House proposal is new Part B of Title VIII of ESEA.

The Senate recedes.

PURPOSES

2. Purposes: The Senate bill states that the purpose of this program is to provide multi-year support for comprehensive educational improvement to (1) meet the National Education Goals, (2) improve students' educational achievement, and (3) increase community, parental, and business collaboration with schools. The House amendment specifies that the program supports a 10 year effort to promote coherent and coordinated educational changes at state and local levels without jeopardizing current federal programs' funding.

The House recedes with an amendment combining the purposes.

FINDINGS

3. Findings: The House amendment, but not Senate bill, provides list of Congressional findings.

The Senate recedes with an amendment adding an additional finding.

ALLOTMENT OF FUNDS

4. Allotment of Funds: The Senate bill reserves 1 percent of the appropriation for the Pacific outlying area and for the Secretary of the Interior for Bureau of Indian Affairs schools. The House amendment reserves ½ of 1 percent, up to $2 million annually, of the appropriation for the benefit of Indian students enrolled in Department of the Interior Indian schools. The House amendment treats the Pacific outlying area as states under applicable definitions in the Elementary and Secondary Education Act.

The Senate bill allocates to each state educational agency 50 percent of the remainder of the annual appropriation based on the SEA's share of Chapter 1 (compensatory education, Title I, ESEA) in the preceding fiscal year, and 50 percent based on the SEA's share of Chapter 2 (education block grant, Title I, ESEA) funding in the preceding fiscal year. The House amendment allocates the remainder of the annual appropriation to states with approved applications based on the basic grant allocation formula under Chapter 1. The Senate bill, but not the House amendment, provides a state minimum grant of not less than ¼th of 1 percent of the annual appropriation.

The House recedes with an amendment striking the additional small state minimum and making a technical revision.

PROGRAM AUTHORIZATION

5. Program Authorization: The House amendment, but not the Senate bill, contains a separate section providing general program authority for uses of program funds.

The Senate recedes with an amendment adding a reference to neighborhood public schools.

STATE/LOCAL FUNDING DISTRIBUTION

6. State/Local Funding Distribution: Under the Senate bill, initial year funding is to be used for planning and other activities, to the extent funds are not used for planning. In the second year, the state may retain 10 percent for evaluation, administration, and other activities, and seek waivers to retain an additional 10 percent for various activities including funding for new kinds of public schools, and an additional 15 percent for funding of New American Schools. The remainder of funds are for local school districts. The House amendment provides that initial year funding be used for planning with the option that some funds may be distributed for local planning. In the second and succeeding years, at least 75 percent of the total cost of a state program (federal funding and matching funds) must be distributed by the SEA to LEAs. House

amendment at Section 8111(d) (see comment 84) provides for administrative reservation.

The Senate recedes with an amendment providing that, in the first year, all funding goes to the state for the development of the state-wide systemic reform plan and providing states with the option of passing funds through to the local education agencies (LEAs). In the second and subsequent years, the state reserves up to 20 percent for implementation of the state systemic reform plan and innovative activities, including technical assistance to LEAs, with a 5 percent cap on administration. In the second and subsequent years that an SEA receives funding, not less than 80 percent of the funds go to the LEAs for the development and implementation of district wide reform plans. If the LEA has an approved plan, it passes through 85 percent of its subgrant to individual schools for the implementation of reform activities, including local school restructuring projects. LEAs use the remaining 15 percent to continue implementing the local systemic reform plan. In the third and following years, 90 percent of the funds received by an LEA must be passed through to the local schools.

The conference agreement does not include the Senate bill provisions authorizing states to secure waivers from the Secretary for the purpose of using an additional 10 percent of its allotment for activities such as public school choice and New American Schools, as well as an additional 15 percent for New American Schools only.

STATE USES OF FUNDS

7. State Uses of Funds: Under the Senate bill, initial year funding not used for planning may be used by SEAs for training and professional development activities or teachers and school leaders, and for public school choice initiatives. In second and succeeding years of funding, up to 10 percent may be used for evaluation, administration, technical assistance, and review of local applications. Allowable uses of funds under the 10 percent waiver authority include: training and professional development, public school choice initiatives, establishment of different kinds of new public schools, grants to business and education partnerships for operation of model secondary schools or programs in science, math, or technology education, and other activities to improve student achievement. Allowable activity under the 15 percent waiver is establishment of New American Schools. Under the House amendment, state-level uses of funds include development implementation of the state plan, activities of the state-level panel established to develop the plan, subgrants to LEAs, technical assistance to LEAs, and evaluation, reporting, and data collection.

The conference agreement provides that states may use their funds to implement the system reform plan, innovative activities, and technical assistance to LEAs.

PROHIBITION

8. Prohibition: The Senate bill requires that any new public schools established under this title be nonsectarian in specified activities and not be affiliated with a sectarian school or institution, and applies the same language specifically to the different kinds of

new public schools established under the initial waiver described above. There is no comparable House provision.

The House recedes with an amendment providing that nothing in this part may be construed to authorize funds under this part to directly or indirectly benefit any school other than a public school (with the exception of private school access to information and training).

APPLICATIONS

9. Applications: The Senate bill requires that initial year application describe how the SEA will establish a Neighborhood Schools Improvement Advisory Council. Application in the second year must include the plan developed by the Advisory Council.

The House amendment provides that SEAs submit applications to cover a 5 year period, that the application shall contain specific assurances and information, and that the Secretary may not finally disapprove an application or amendment unless the SEA is provided reasonable notice, technical assistance, and an opportunity for a hearing. The House amendment also authorizes assistance to states for a second 5-year period if the state has met all reporting requirements and demonstrates reasonable progress in carrying out its plan.

The Senate recedes.

STATE PANEL

10. State Panel: The Senate bill requires each funded SEA to establish a Neighborhood Schools Improvement Advisory Council to act as an advisory group for developing a state comprehensive, systemic plan to improve education, to review that plan, and to advise on criteria to evaluation applications for Neighborhood Schools Improvement Grants. The House amendment requires each state program to establish a panel to develop a statewide reform plan.

The Senate recedes with an amendment retaining the House appointment process for panel members, but reducing the number of members to 17.

STATE PLAN

11. State Plan: The House amendment and the Senate bill require the development of state plans, but contain a number of differing provisions.

The Senate recedes with an amendment providing for a modified and shortened list of state plan requirements which focus primarily on the five key elements of systemic reform. The state plan would provide for a competitive process for awarding funds to LEAs that includes a peer review process for LEA applications. The plan should provide (i) that the LEA with the greatest number of disadvantaged children in the state shall receive a grant, (ii) that 50 percent of the funds go to LEAs with the largest numbers or percentages of disadvantaged children as defined by the state average percentage of Chapter 1 children (except that states may waive this requirement in cases where there are an insufficient number of LEA applicants), and (iii) ensure geographic distribution of sub-

grants within the state. Subgrants to LEAs are awarded based on the recommendations of the peer review and should be of sufficient size and duration to enable LEAs and schools to carry out their planned activities. The conferees intend that successful LEA applications should enjoy broad public support within their communities.

Under the conference agreement, states must in their plans describe methods of coordinating health, rehabilitation, and social services with education through state interagency cooperation and agreements. The conferees wish to emphasize that this requirement is not intended to support projects or activities which provide family planning or reproductive health services. Such services, with appropriate safeguards and limitations, are funded through various federal and state health programs and should not be duplicated with funding available under this part.

In order to provide for more effective use of educational technologies, such as live interactive distance learning and networking of educational technology systems beyond the individual school or district, the plan requires a strategy to upgrade the effective use of technology for activities such as enhanced classroom instruction, ongoing inservice training of teachers and administrators, and outreach to parents and the broader community to improve educational outcomes for all students.

WAIVERS OF STATE REQUIREMENTS

12. Waivers of State Requirements: The Senate bill contains a waiver of requirements concerning establishment of council and content of the plan in states with established comprehensive, statewide education improvement plans. The House amendment, on the other hand, provides that any state that has, by law, already established a reform panel substantially meeting the requirements of this part or has already accomplished any of the delineated reform activities, may obtain a waiver of the panel or plan requirements.

The Senate recedes.

REVIEW OF STATE PLANS

13. Review of State Plans: The Senate bill requires the Secretary, through peer review process, to review state plans. No plan can be disapproved because it lacks one or more specific reform strategies. The Secretary has to submit reasons for disapproval in writing to appropriate SEAs. The House amendment requires the Secretary to approve a state plan if it meets the requirements of the section and provides evidence that the state has resources to implement it. The Secretary cannot finally disapprove a plan or amendment to it without reasonable notice, technical assistance, and opportunity for a hearing.

The Senate recedes.

GRANTS TO LOCAL SCHOOLS

14. Grants to Local Schools: The Senate bill, but not the House amendment, has a separate provision which requires SEAs receiving allotment under this title to award grants to local schools. The Senate bill, requires schools desiring grants to prepare applications

and submit them to their LEAs. LEAs are to review and comment on school applications and submit them to SEA. In submitting comments, LEAs must provide certain assurances and information on LEA activities. SEAs awarding grants under this title must report specified information to the Secretary, including the names and addresses of funded schools and the activities they will undertake. The House amendment, but not the Senate bill, authorizes SEAs to make subgrants to LEAs for development of local plans. An LEA desiring funds must form a committee with the specific membership delineated by the legislation. The Committee is to develop a local improvement plan. The House amendment describes the process for developing that plan, the required contents of the plan, and the process for approving plans.

The Senate recedes with an amendment providing that LEAs seeking subgrants must establish a streamlined local committee to develop the district wide systemic reform plan through an interactive process which included individual schools in the process of the plans development. When the plan is sent to the state for funding it must include the restructuring plans which will be funded. The local school restructuring plans must be developed at the school building level and must show how the school proposes to restructure consistent with the state and local plan. Any school or consortia of schools in the LEA can submit a restructuring proposal and the proposals in the plan are to be selected by the LEA through a competitive process. The plan should provide that subgrants to schools be of sufficient size and duration to enable schools to carry out their planned activities. It should provide that the school building administrator or responsible fiscal agent has control over the restructuring funds as part of the school budget, describe the support the LEA will provide to ensure the success of the school plan, and that continued funding of local schools is contingent on increases in achievement as indicated by multiple measures.

With regard to the development of local reform plans, the conferees wish to clarify that school districts on federal Indian reservations serving substantial Indian student populations may take into consideration tribal education codes and standards.

COSTS OF STANDARDS IN BIA SCHOOLS

15. Costs of Standards in BIA Schools: The House amendment, but not the Senate bill, provides for reservation of funds for a National Academy of Sciences analysis of costs of having BIA schools meet BIA academic standards.

The Senate recedes.

MATCHING REQUIREMENT

16. Matching Requirement: The House amendment, but not the Senate bill, requires states to match federal allocations. Federal funds may cover 100 percent of the total cost in initial year, dropping in stages to 33 percent by 5th and any succeeding fiscal year.

The Senate recedes with an amendment providing that federal funds may cover 100 percent of the costs in each of the first 3 years, 90 percent of the cost in the fourth year, 80 percent of the

cost in the fifth year, and 70 percent of the cost in all succeeding years.

MAINTENANCE OF EFFORT

17. Maintenance of Effort: The House amendment, but not the Senate bill, has a maintenance of effort requirement.

The Senate recedes with an amendment adding a non-supplanting provision from its bill.

INDIAN AGREEMENTS

18. Indian Agreements: The House amendment, but not the Senate bill, delineates development of reform plan for BIA schools.

The Senate recedes.

INFORMATION AND TRAINING

19. Information and Training: The House amendment, but not the Senate bill, provides for information and teacher training services to be made available to private schools and teachers.

The Senate recedes.

EVALUATION

20. Evaluation: The House amendment contains more extensive evaluation and reporting provisions, especially at the state and federal levels, and requires the Secretary to contract with the National Academy of Sciences for the evaluation of the school finance data reported by the states. Proposals have different requirements concerning evaluation of programs under this part. The Senate bill requires LEAs serving schools funded under this part to provide data on these schools to SEAs, which will then evaluate supported activities.

The Senate recedes with an amendment expanding the annual report to include a description of indicators of achievement for students attending schools funded under this part, striking the biennial report on school revenues, and directing LEAs that receive funds under this part to provide certain data to the states.

It is the intent of the conferees that the analysis by the National Academy of Sciences include: (i) the cost of different ways of providing educational services; (ii) the impact of socioeconomic status, student/teacher ratios and their effect on achievement; (iii) governmental expenditure at all levels for public education in the U.S. and in other major foreign industrial nations; (iv) the impact of population sparsity and density factors on educational needs and costs; (v) the revenue sources available to each LEA such as property taxes, sales taxes, personal income taxes, and lotteries; (vi) information on differences in the costs of providing elementary and secondary education by state and by local educational agencies; and (vii) the capacity of state school finance systems to provide the resources necessary to achieve the National Education Goals. The factors which NAS should take into account include: (i) the variables associated with communities willingness to raise education revenues; (ii) different teaching compensation policies; (iii) the impact of school equalization policies on school districts with

higher than average expenditures per pupil and the impact on districts with lower than average expenditures.

DEFINITIONS

21. Definitions: House amendment, but not Senate bill, defines "assessment system," "curricular framework," and "Pacific outlying area."

The senate recedes with an amendment adding a definition of "authentic assessment", "elementary school", "public school", and "secondary school".

REPORTS

22. Reports: Senate bill requires SEAs to submit to the Secretary information on successful Neighborhood Schools. Biennially, the Secretary is to provide Congress with summaries of all data and reports provided by schools, LEAs, and SEAs. The House amendment requires the Secretary to provide an annual report to the House Committee on Education and Labor and the Senate Committee on Labor and Human Resources describing state progress in implementing state plans, information from state and local reports on federal laws or regulations impeding systemic reform, and a list by state of average per pupil expenditures.

The Senate recedes with an amendment narrowing the amount of data to be collected, deleting the development of model school finance programs, and other minor changes.

AUTHORIZATION OF APPROPRIATIONS

23. Authorization of Appropriations: Senate bill authorizes, for Title II, $850 million for fiscal year 1992 and such sums as may be necessary for fiscal year 1993 through fiscal year 2001. The House amendment authorizes, for Part B, $800 million for fiscal year 1992 and such sums as may be necessary for fiscal year 1993 through fiscal year 2001.

The Senate recedes with an amendment striking extraneous language.

FLEXIBILITY DEMONSTRATION PROGRAM—SHORT TITLE

1. Short Title: The House amendment entitles this part as the "Flexibility for Educational Effectiveness Act of 1992." Senate bill has no comparable title.

The Senate recedes.

FINDINGS

2. Findings: The Senate bill and the House amendment contain largely similar findings.

The House recedes with an amendment combining the findings.

LAW AMENDED

3. Law Amended: The Senate bill places regulatory flexibility program in the General Education Provisions Act. The House amendment includes its program in new Title VIII of ESEA.

The Senate recedes.

COMMITTEE ON SERVICES TO CHILDREN

4. Committee on Services to Children: The House amendment, establishes a Committee on Services to Children to consider state applications requesting waiver of various federal requirements. The Senate bill provides that waivers shall be granted by the Secretary of Education or the heads of other federal agencies.

The House recedes with an amendment directing the Secretary to make written agreements with the heads of other agencies regarding the consideration of requests for waivers of requirements of other non-Education Department programs.

NUMBER OF DEMONSTRATIONS

5. Number of Demonstrations: The Senate bill authorizes demonstrations in LEAs while the demonstrations in the House amendment are to take place in schools. The Senate bill authorizes demonstrations for not more than 6 states involving not more than 50 LEAs in each state. House amendment authorizes demonstrations for not more than 15 states involving not more than 20 schools in each state.

The House recedes with an amendment providing for waivers in not more than 10 states, and not more than 20 LEAs and 75 schools in each state.

DESIGNATED PROGRAMS FOR WAIVERS

6. Designated Programs for Waivers: The Senate bill authorizes Secretary to waive any statutory or regulatory requirement (with certain exceptions) in designated programs. The House amendment authorizes waivers for a broader range of programs, coordinated and consolidated with Chapter 1, and organizes them into categories.

The Senate recedes with an amendment striking the Comprehensive Child Development Centers Act of 1988 and the School Dropout Demonstration Assistance Act from the list of designated programs and adding the Dwight D. Eisenhower Mathematics and Science Education Act.

The conferees wish to clarify that the recently published Department of Education regulations regarding the incidental participation of non-Chapter 1 eligible children in Chapter 1 programs would also apply to projects authorized by this part.

PROJECT PERIOD

7. Project Period: The Senate bill, but not the House amendment limits waiver demonstration projects to not more than 3 years with possible 2-year extensions.

The Senate recedes.

WAIVER TERMINATION

8. Waiver Termination: Both the Senate bill and the House amendment provide for termination of a waiver demonstration project if it is not making reasonable progress toward its goals. The Senate bill authorizes other federal agency heads who have grant-

ed waivers to extend or terminate those waivers, but provides Secretary with exclusive authority to extend or terminate the demonstration project. The House amendment includes language to require termination when a state or school violates restrictions on waiver authority, to terminate authority of the Committee to grant waivers on September 30, 1997, and to stipulate that a school may, at any time, decline to participate.

The Senate recedes with an amendment providing that decisions to terminate waivers are made by the Secretary of Education.

TERRITORIES

9. Territories: The House amendment, but not the Senate bill, authorizes Secretary to waive requirements for not more than 4 schools each in the Virgin Islands, Guam, American Samoa, and Commonwealth of the Northern Mariana Islands. These schools are to be in addition to the limits placed on the number that can be waived in the states.

The Senate recedes.

COORDINATED SERVICES AGREEMENTS

10. Coordinated Services Agreements: The House amendment, but not the Senate bill, requires SEA to engage in effort to develop coordinated services agreements with other agencies within its state to serve disadvantaged students.

The Senate recedes.

LOCAL ELIGIBILITY

11. Local Eligibility: The Senate bill requires any demonstration project involving local schools to include participation of an LEA and at least 2 schools, and, to the extent possible, involve each grade and academic program in a participating school. The House amendment requires that, to be eligible to participate, an LEA has to have developed an application with a local reform committee (under Neighborhood School part) and have made a concerted effort to develop coordinated services agreements with other local agencies to serve disadvantaged students.

The Senate recedes with an amendment striking reference to the local reform committee.

LOCAL APPLICATIONS

12. Local Applications: The Senate bill and the House amendment contain similar local application requirements, except that the House amendment, unlike the Senate bill, has special provisions related to waivers of requirements for social, health and nutrition programs and for school lunch and child nutrition programs.

Senate recedes with an amendment combining requirements from the two bills, requiring that the LEA identify the regulatory as well as statutory requirements to be waived, and providing that the LEA will submit its application to the SEA for approval and that the SEA will transit all approved local applications to the Secretary.

APPROVAL BY THE SECRETARY

13. Approval by the Secretary: The Senate bill, but not the House amendment, delineates a process for Secretary's approval of waiver applications.

The House recedes with an amendment making conforming changes to the numbers of states that may participate and striking the requirement that the Governors' comments on the applications be considered by the Secretary.

DISTRIBUTION OF PROJECTS

14. Distribution of Projects: The Senate bill, but not the House amendment, provides for geographical distribution of projects; and equitable distribution among urban, suburban, and rural areas and by size of school.

The House recedes.

ALLOCATION OF FEDERAL FUNDS

15. Allocation of Federal Funds: Senate bill, but not House amendment, requires that current statutory and regulatory provisions governing the allocation of funds to LEAs under federal programs supporting waiver projects continue to apply, with specified exception.

The Senate recedes.

RESTRICTIONS ON WAIVERS

16. Restrictions on Waivers: The Senate bill and the House amendment federal have similar lists of requirements which cannot, under any circumstances, be waived, except that: only the Senate bill specifically prohibits waiving of requirements under Title II of Americans with Disabilities Act, and Individuals with Disabilities Act; and only the House amendment specifically prohibits waiving of the Age Discrimination Act of 1975, regulations addressing diversion of federal funds for private use, supplement-not-supplant requirements, and requirements concerning parental participation.

The Senate recedes with an amendment adding Title II of ADA and IDEA.

FUND DISTRIBUTION

17. Fund Distribution: The House amendment, but not the Senate bill, provides specific prohibition against affecting distribution or utilization of funds in programs not involved in the waiver project

The Senate recedes.

CONSTRUCTION, RENOVATION, AND REPAIR

18. Construction, Renovation, and Repair: The House amendment, but not the Senate bill, provides that the flexibility program does not permit funds for services and activities to be used for construction, renovation, or repair of buildings.

The Senate recedes.

SCHOOL LUNCH RESTRICTIONS

19. School Lunch Restrictions: The House amendment, but not the Senate bill, specifically prohibits certain activities under the School Lunch and Child Nutrition Acts.

The Senate recedes.

SPECIAL RULE ON REPORTING

20. Special Rule on Reporting: The House amendment, but not the Senate bill, provides that reporting requirements under waived programs are satisfied by reporting requirements for waiver demonstration projects.

The Senate recedes.

GENERAL STATE REQUIREMENTS

21. General State Requirements: House amendment, but not Senate bill, describes content of application to be submitted by the SEA to the Committee on Services to Children. The House amendment also requires SEA to give priority to selection of specified kinds of schools serving disadvantaged students. Further, the Committee is to give priority consideration to state applications demonstrating state waiver activity and coordination of state health, mental health, and substance abuse programs with education.

The Senate recedes with an amendment making minor and conforming changes.

STATE REPORTING REQUIREMENTS

22. Reporting Requirements: The Senate bill and the House amendment contain similar reporting requirements, except that under the Senate bill, each project reports to the Secretary, whereas under the House amendment, the SEA reports to the Committee on Services to Children.

The House recedes with an amendment providing that SEAs will report annually to the Secretary of Education on the progress of each participating school, includes some information required by the House amendment, and specifies that project information should focus on improved performance of disadvantaged students.

REPORT TO CONGRESS

23. Report to Congress: The Senate bill requires the Secretary to report every two years to Congress. The House amendment requires an annual report from the Committee on Services to Children to the House Committee on Education and Labor, Senate Committee on Labor and Human Resources, and Senate Committee on Agriculture, Nutrition, and Forestry.

Senate recedes with an amendment substituting the Secretary of Education for the Committee on Services to Children.

EVALUATION

24. Evaluation: The Senate bill and the House amendment require evaluation of the projects aided under these programs. The Senate bill requires the Secretary to provide an independent evaluation to the Congress. The House amendment requires the Secre-

tary to contract with National Academy of Education to evaluate funded projects and to submit the evaluation to the House Committee on Education and Labor, the Senate Committee on Labor and Human Resources, and the Senate Committee on Agriculture, Nutrition, and Forestry by January 1, 1999.

The Senate recedes.

DEFINITIONS

25. Definitions: Both the Senate bill and the House amendment define "disadvantaged students". However, the House amendment also includes definitions of "chapter 1" and "secondary school."

The Senate recedes with an amendment striking references to several laws from the definition of "disadvantaged students".

BUDGET NEUTRALITY

26. Budget Neutrality: Senate bill, but not House amendment, provides that flexibility program is to be implemented in a manner that is budgetarily neutral.

The House recedes.

SUNSET PROVISION

27. Sunset Provision: Senate bill, but not House amendment, limits effective life of the flexibility program to 6-year period beginning upon enactment of the bill.

The Senate recedes.

AUTHORIZATION OF APPROPRIATIONS

28. Authorization Appropriations: House amendment, but not Senate bill authorizes $1 million for fiscal year 1997 for National Academy of Education evaluation.

The Senate recedes.

WORKFORCE SKILLS

29. Workforce Skills: House amendment, but not Senate bill, includes a new Title IX in ESEA authorizing a National Board on Workforce Skills.

House recedes.

TITLE III—DISTANCE LEARNING

Distance Learning: The Senate bill, but not the House amendment, authorizes a study of distance learning.

The Senate recedes.

TITLE IV—AMENDMENTS TO THE GENERAL EDUCATION PROVISIONS ACT

AUTHORIZATION OF APPROPRIATIONS

1. Authorization of Appropriations: The House amendment, but not Senate bill, extends the authorization of appropriations through 1994 for the National Center for Education Statistics.

The Senate recedes.

TRIAL STATE ASSESSMENTS

2. Trial State Assessments: Both the Senate bill and the House amendment extend the authorization of the trial state assessments under the National Assessment of Education Progress to 1994.

The House recedes.

EVALUATION

3. Evaluation: The House amendment, but not Senate bill, amends GEPA to require an independent evaluation of trial NAEP assessments and the process used by the National Assessment Governing Board to establish achievement goals.

The Senate recedes.

INFORMATION

4. Information: The House amendment, but not Senate bill, amends the current GEPA requirement concerning SEA reports on uses of federal education assistance programs administered through SEAs. House amendment, among other changes, makes the reporting requirement biennial, expands the scope of the programs to be reported on, requires the data to be made available via telecommunications network to Congress and other interested parties, and delineates in more detail the content of the Secretary's reports to Congress.

The Senate recedes with an amendment that directs the Secretary to consult with Congressional leadership about the feasibility of providing information on a telecommunications network.

TITLE V—AMENDMENTS TO THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT

ASSESSMENT ACTIVITIES

1. Assistance Activities: The House amendment, but not Senate bill, amends The Carl D. Perkins Vocational and Applied Technology Education Act to authorize SEAs to use NAEP test items and data to evaluate vocational education programs under certain conditions.

The Senate recedes.

NATIONAL OCCUPATIONAL INFORMATION COORDINATING COMMITTEE

2. NOIC Committee: The House amendment, but not Senate bill, amends Perkins Vocational and Applied Technology Education Act to require state boards of higher education to provide information on graduate and job placement rates, and to require the National Occupational Information Coordinating Committee to incorporate information on postsecondary training programs.

The Senate recedes.

TITLE VI—AMENDMENT TO THE DWIGHT D. EISENHOWER MATHEMATICS AND SCIENCE EDUCATION ACT

MODEL ASSESSMENTS

Model Assessments: The House amendment, unlike the Senate bill, amends the Dwight D. Eisenhower Mathematics and Science Education Act to authorize the Secretary to make grants to support development of model assessments tied to the national standards in mathematics.

The Senate recedes with a amendment (i) authorizing the development of model assessments in science also, if standards are developed and certified by the National Education Goals Panel, (ii) providing that the grants to develop model assessments be made consistent with the criteria developed by the National Education Standards and Assessment Council (NESAC); and (iii) directs NESAC to develop criteria for the development of different types of model assessments.

TITLE VII—MISCELLANEOUS PROVISIONS

VALUES IN SCHOOLS

1. Values in Schools Study: The House amendment, but not Senate bill, establishes Civic and Character Values-In-Schools Act of 1992 and amends Secretary's Fund for Innovation in Education to include an Ethics and Values Demonstration Program.

The Senate recedes with an amendment giving the Secretary the authority to establish a Commission to analyze possible ways to teach values in schools.

PARENTS AS TEACHERS

2. Parents as Teachers: The House amendment, but not Senate bill, amends Title IV of ESEA, to include a new Parents as Teachers: The Family Involvement in Education Act of 1992.

The Senate recedes with an amendment requiring the Secretary to conduct a review of evaluations of the "Parents as Teachers" program.

BUY AMERICAN

3. Buy American: The House amendment, but not Senate bill, has a sense of the Congress statement concerning purchase of American-made equipment and products relative to federal assistance under this Act.

The Senate recedes.

DEFINITIONS

4. Definitions: Senate bill, but not the House amendment, defines various terms for the entire bill.

The House recedes.

SCHOOLWIDE PROJECTS

5. Schoolwide Projects: The House amendment, but not Senate bill, amends ESEA to provide that Chapter 1 schoolwide projects have to meet only the general Chapter 1 maintenance of effort pro-

vision, rather than the more strict one currently applied to schoolwide projects.

The House recedes.

TIME AND LEARNING COMMISSION

6. Time and Learning Commission: The House amendment, but not Senate bill, amends the Education Councils Act of 1991 to extend the period of time in which the National Education Commission on Time and Learning has to submit its final report and to extend the authorization period for funding.

The Senate recedes.

PEACE CORPS

7. Peace Corps: The Senate bill, but not the House amendment, includes a sense of the Senate statement concerning Peace Corps activities related to republics of the former Union of Soviet Socialist Republics.

The Senate recedes.

FREEDOM OF SPEECH

8. Freedom of Speech: Senate bill, but not the House amendment, includes statement of sense of Congress concerning freedom of speech on higher education campuses.

The Senate recedes.

TECHNICAL AMENDMENT

9. Technical Amendment: Senate bill, but not the House amendment, amends fiscal year 1992 Labor-HHS-ED Appropriations Act to provide that funds reserved for educational excellence be available for "any education reform program" not just AMERICA 2000 activities.

The Senate recedes.

GAO REPORT

10. GAO Report: The Senate bill, but not the House amendment, requires Comptroller General of U.S. to submit report to Chairman and ranking minority member of Senate Committee on Labor and Human Resources on the effects that tax abatements for business have on education funding.

The Senate recedes.

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